

Ray Bagshaw
Mayor

Malcolm Henley
Council Member

Judy Beardslee
Council President

Lee Chotas
Council Member

Neil Powell
Council Member

John Dowless
Council Member

**CITY COUNCIL AGENDA
REGULAR MEETING
City Hall – Council Chamber
405 Larue Avenue, Edgewood, Florida
Tuesday, February 21, 2012
6:30 p.m.**

WELCOME! We are very glad you have joined us for today's Council meeting. If you are not on the agenda, please complete an appearance form and hand it to the City Clerk. When you are recognized, state your name and address. The Council is pleased to hear relevant comments; however a five-minute limit has been set by Council. Large groups are asked to name a spokesperson. Robert's Rules of Order guide the conduct of the meeting. PLEASE SILENCE ALL CELLULAR PHONES AND PAGERS DURING THE MEETING. "THANK YOU" for participating in your City Government.

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL AND DETERMINATION OF A QUORUM

E. ORGANIZATIONAL MEETING (Pages 1 – 4)

1. Administer Oath of Office to newly elected City Council members.
2. Election of Council President
3. Council President to designate areas of responsibility (not already under the jurisdiction of the mayor), to be assigned to individual Council members pursuant to Section 3.12 of the City Charter

F. CONSENT AGENDA (Pages 5 – 38)

1. Approval of:

- January 18, 2011 Minutes – Regular City Council Meeting
- January 25, 2011 Minutes – City Council Workshop
- February 1, 2011 Minutes – City Council Workshop
- January 10, 2012 Minutes – City Council Workshop
- January 17, 2012 Minutes – Regular City Council Meeting
- August 23, 2011 Minutes – City Council Workshop

(Items on the consent agenda are defined as routine in nature, therefore, do not warrant detailed discussion or individual action by the Council. Any member of the Council may remove any item from the consent agenda simply by verbal request prior to consideration of the consent agenda. The removed item(s) are moved to the end of New Business for discussion and consideration.)

G. PRESENTATIONS (Pages 39 – 82)

1. Appreciation Recognition – Council Members Bozeman and Henley
2. Certificate of Completion – Institute for Elected Municipal Officials
3. Mayoral Proclamation – Pine Castle Pioneer Day
4. Request For Qualification – Engineering Services (Presenting in Alphabetical Order)
 - Booth, Ern, Straughan & Hiott (BESH)
 - Boyer-Singleton & Associates, Inc.
 - Florida Engineering Group (FEG)
 - Weaver Boos Consultants

H. ORDINANCES – FIRST READING (Pages 83 – 199)

I.

1. **ORDINANCE NO. 2012-01:** AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, AMENDING THE CITY'S ADOPTED PERSONNEL POLICIES, PROCEDURES, AND RULES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
2. **ORDINANCE NO. 2012-02:** AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SECTION 102-71 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES BY ADOPTING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, WITH CERTAIN AMENDMENTS, THERETO TO CONFORM TO FLORIDA LAW AND THE CITY'S EXISTING CODE OF ORDINANCES; REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPANCY AND USE; PROVIDING THAT THE PROVISIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE SHALL BE SUPPLEMENTAL TO ALL OTHER CODES AND ORDINANCES OF THE CITY; PROVIDING FOR CODIFICATION, SEVERABILITY, AND CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.
3. **ORDINANCE NO. 2012-03:** AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, RELATING TO MAINTENANCE OF PRIVATE INFRASTRUCTURE WITHIN GATED COMMUNITIES; AMENDING SECTION 126-559 TO REPLACE THE REQUIREMENT FOR ANNUAL ENGINEERING REPORTS WITH A REQUIREMENT THAT ENGINEERING REPORTS BE GIVEN TO THE CITY UPON REQUEST; CLARIFYING PROVISIONS WITHIN SECTION 126-559; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

J. PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION) (Pages 200 – 201)

- 1 **ORDINANCE NO. 2011-08:** AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, RELATING TO THE LOCAL BUSINESS TAX ACT; AMENDING SECTION 34-19 OF THE CODE OF ORDINANCES BY

PROVIDING THAT PERSONS ENGAGING IN OR MANAGING ANY PROFESSION IN THE CITY SHALL NOT BE REQUIRED TO PROCURE A BUSINESS TAX RECEIPT WHEN SUCH PERSONS ARE EMPLOYED BY A BUSINESS THAT HAS PROCURED A BUSINESS TAX RECEIPT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. [TABLED FROM 1/17/2012 CITY COUNCIL MEETING]

K. UNFINISHED BUSINESS

L. NEW BUSINESS (Pages 202 – 205)

1. **RESOLUTION 2012-01:** A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, SUPPORTING ANTI-STALKING LEGISLATION INCLUDING SENATE BILL 950 AND HOUSE BILL 1099; ENCOURAGING ORANGE COUNTY LEGISLATIVE DELEGATION TO SUPPORT SENATE BILL 950 AND HOUSE BILL 1099 AND OTHER ANTI-STALKING LEGISLATION; DIRECTING THE CITY CLERK TO PROVIDE COPIES OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

M. GENERAL INFORMATION (No action required)

N. CITIZEN COMMENTS

O. BOARDS & COMMITTEES

P. STAFF REPORTS

1. Police Chief
2. City Clerk (Pages 206 – 208)
 - Status Memo
3. City Attorney
 - Sunshine Law

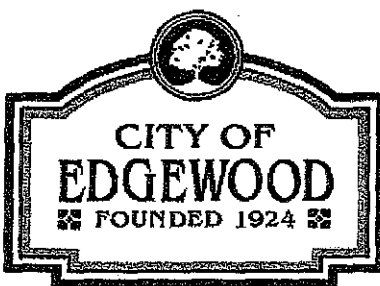
Q. MAYOR & COUNCIL REPORTS

R. ADJOURNMENT

UPCOMING MEETINGS:

April 17, 2012.....City Council Regular Meeting
May 22, 2012.....City Council Regular Meeting
June 19, 2012.....City Council Regular Meeting

You are welcome to attend and express your opinion. Please be advised that Section 286.0105, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made. In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the City Clerk at (407) 851-2920.



OATH OF OFFICE

I, Judy Beardslee, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States, and of the State of Florida; that I will bear true faith, loyalty and allegiance to the same; that I am entitled to hold office under the Constitution and that I will faithfully perform all duties of the Office of Council Member of the City of Edgewood on which I am now about to enter, so help me God.

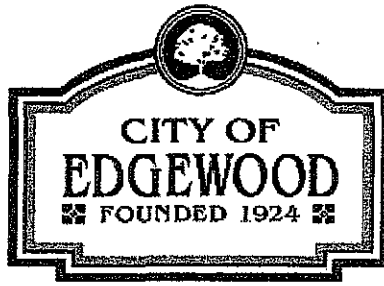
Judy Beardslee

February 21, 2012

*State of Florida
Orange County*

Subscribed and sworn to before me this 21st day of February, 2012 by Judy Beardslee (personally known).

Notary Public, State of Florida, At Large



OATH OF OFFICE

I, Pamela Henley, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States, and of the State of Florida; that I will bear true faith, loyalty and allegiance to the same; that I am entitled to hold office under the Constitution and that I will faithfully perform all duties of the Office of Council Member of the City of Edgewood on which I am now about to enter, so help me God.

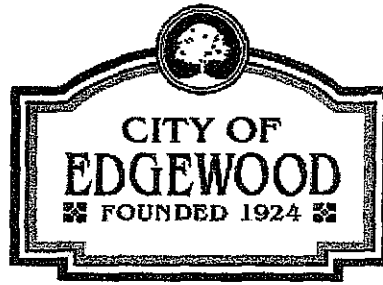
Pamela Henley

February 21, 2012

*State of Florida
Orange County*

Subscribed and sworn to before me this 21st day of February, 2012 by Pamela Henley (personally known).

Notary Public, State of Florida, At Large



OATH OF OFFICE

I, Lee Chotas, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States, and of the State of Florida; that I will bear true faith, loyalty and allegiance to the same; that I am entitled to hold office under the Constitution and that I will faithfully perform all duties of the Office of Council Member of the City of Edgewood on which I am now about to enter, so help me God.

Lee Chotas

February 21, 2012

*State of Florida
Orange County*

Subscribed and sworn to before me this 21st day of February, 2012 by Lee Chotas (personally known).

Notary Public, State of Florida, At Large

Pursuant to Section 3.12 of the *City Charter*, upon the start of a new council session, the council president shall designate areas of responsibility (not already under the jurisdiction of the mayor*) to be assigned to individual council members. Each council member shall assume responsibility for the assigned area and execute his/her responsibility within the broad guidelines established by the council. The following is a list of duties to be assigned (can be reassigned or modified after assignment):

Finance & Budget
Code Enforcement
HAINC liaison
Cypress Grove liaison
Land Development
Land Development/Master Plan
Public Works
Metro Plan
Police Department*
City Hall*
Contract Staff*

*Pursuant to Section 4.04 of the *City Charter*, the mayor has jurisdiction over the police department, city hall and contract staff.

**EDGEWOOD CITY COUNCIL
JANUARY 18, 2011 REGULAR CITY COUNCIL MEETING**

On Tuesday, January 18, 2011, the Edgewood City Council held its regular City Council meeting at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida. Council President Beardslee called the meeting to order at 6:30 p.m. Council Member Powell gave the invocation, followed by the Pledge of Allegiance. The following attendance is noted:

Attendees:

Council President Beardslee
Council Member Willis
Council Member Henley
Council Member Powell
Council Member Bozeman

Absent

Mayor Teague

Staff:

Debbie Wallace, Acting City Clerk
Pete Marcus, Police Chief
Drew Smith, City Attorney

Council President Beardslee pulled item "B" from the Consent Agenda. Council President Beardslee deferred Council to memo from Mayor Teague regarding employment status of Assistant City Clerk Sheyenne Contreras. In response to Consent Agenda item "A":

Council Member Powell made the Motion to approve the December 21, 2010 minutes; with Second by Council Member Bozeman. Approval of the December 21, 2010 minutes was approved by unanimous vote.

ORDINANCES – FIRST READING

ORDINANCE NO. 2011-01 Establishing a temporary Moratorium for a maximum of one hundred and eighty days (180) on the issuance of business tax receipts for the operation of pain clinics and pain management clinics.

City Attorney Smith read Ordinance No. 2011-01 in title only.

Council Member Powell made the Motion to approve the first reading of Ordinance No. 2011-01; with Second by Council Member Bozeman.

In response to Council Member Bozeman, Acting City Clerk Wallace said that the City has not received any applications for this type of business. Council Member Willis said that Orange County has adopted a similar Ordinance. Council President Beardslee questioned the Counties listed in the Ordinance, and City Attorney Smith said you can add to the list.

Council Member called to question and Council President Beardslee opened to public hearing:

Frank Aguilar, 415 Oak Lynn Street, Edgewood: Ask how the Ordinance ties into the State wide rule. City Attorney Smith said it is separate, and that other municipalities are doing what Edgewood is doing. He said if the State would do something, the Ordinance may become moot.

Following roll call vote was taken:

Council Member Bozeman	Favor
Council Member Henley	Favor
Council President Beardslee	Favor
Council Member Willis	Favor
Council Member Powell	Favor

The first reading of Ordinance 2011-01 was approved by unanimous vote.

Council President Beardslee announced that the Second and final reading of Ordinance No. 2011-01 will be heard in the February 15, 2011 regular City Council meeting.

ORDINANCE NO. 2011-02 Pharmacy Ordinance additional regulation of the sale of schedule II controlled substances at medical clinics, dental clinics and/or pain management clinics.

City Smith attorney read Ordinance 2011-02 in title only.

Council Member Powell made the Motion to approve the first reading of Ordinance No. 2011-02; with Second by Council Member Henley.

Council President Beardslee opened for public hearing, there being none, she closed to public hearing and called to question.

Following roll call vote was taken:

Council Member Powell	Favor
Council Member Willis	Favor
Council President Beardslee	Favor
Council Member Henley	Favor
Council Member Bozeman	Favor

The first reading of Ordinance 2011-02 was approved by unanimous vote.

Council President Beardslee announced that the Second final reading of Ordinance No. 2011-02 will be heard in the February 15, 2011 regular City Council meeting.

Council President Beardslee moved to item "A" regarding sign damaged by car, and payment to replace sign. Council President Beardslee confirmed the City did received payment from Liberty Mutual.

Council President Beardslee moved to item "H" (b), and ask if this was something that could have been placed on the Consent Agenda. Acting City Clerk Wallace said she placed the item on the agenda per Mayor Teague's direction.

Council Member Powell asked why the City of Windermere could terminate an employee as quickly as they could but the City of Edgewood took longer. City Attorney Smith explained it's all about risk, exposure and cost. Council President Beardslee said the memo indicating Ms. Contreras' termination date precludes Council from discussion and asked if there was a Motion to move past the item.

Council Member Powell made the Motion to pass this item and move forward on the agenda with Second by Council Member Henley. The Motion was approved unanimously.

City Attorney Smith read Resolution No. 2011-01 in title only.

Council President Beardslee asked if there was a Motion to approve.

Council Member Powell made the Motion to approve Resolution No. 2011-01, with Second by Council Member Bozeman. The Motion was approved 4/1 Council Member Willis opposed.

RESOLUTION NO. 2011-02 Amending the fiscal year 2010-2011 budget, increasing the City Hall staff budget and decreasing reserves to fund the hiring of a full time City Clerk.

City Attorney Smith said he does not think it is ready to read because the "numbers" are not ready. He asked for it to be on the agenda for discussion.

Council President Beardslee made the Motion to table Resolution 2011-01 until the February 15, 2011 City Council meeting, with Second by Council Member Powell. The Motion was approved unanimously.

In response to Council President Beardslee, Acting City Clerk Wallace said she would have the "numbers" ready for the next meeting, including benefit amounts.

Council President Beardslee moved to New Business item "C"; Notice of Canvassing appointments. Council Members Henley and Bozeman volunteered to be part of the board,

Council President Beardslee made the Motion to appoint Council Members Henley and Bozeman to the canvassing board election, with Second by Council Member Powell. The Motion approved unanimously.

Council President Beardslee deferred to Council Member Powell, who requested a workshop to review the personnel policy manual. Council Member Powell said other Council Members have expressed concerns about the personnel policy and feels it needs to be addressed. Council President Beardslee said she supports Council Member Powell's request. ***Council agreed to hold a workshop on January 25, 2011 at 3:00 p.m. to discuss the personnel policy.***

Acknowledge proposed merger of Progress Energy with general brief discussion.

Staff Reports

Acting City Clerk Wallace reported as follows:

- Will start working on Newsletter soon and said she has not established a deadline but will contact everyone when deadline is established.
- Qualifying closes on Friday, with two qualified for City Council and one for Mayor.

Chief Marcus reported as follows:

- Referred Council to his quarterly activity update report.
- In response to Council Member Powell, who said he would like to have another speed sign put up (vicinity of Bell Rental), Chief Marcus said FDOT would need to be contacted since it is their road. Council Member Powell said he will contact FDOT.
- In response to Council President Beardslee, Chief said "fleeing" means when person is running sometimes caught and sometimes not.
- In response to Council Member Henley, regarding the status on red light camera, Chief has sent City Attorney Smith a draft Agreement.
- Mayor Teague gave comments on red light camera.

Council President Beardslee noted that she did not think the minutes adequately reflect the decision to move forward with the red light camera, and directed that the minutes reflect approval for red light camera.

Mayor and Council Reports

Mayor Teague reported that the budget amendment has not been to the general ledger, and needs to be amended for the new police officer and car. Council President Beardslee asked Acting City

Clerk Wallace to follow up on this budget amendment. Acting City Clerk Wallace said she will check former City Clerk Rounsavall's file, and check with Assistant City Clerk Contreras.

Mayor Teague reminded Council that Council Member Henley made some recommendations a "few meetings ago" and wanted to know when Council planned to review the recommendations and make decisions on implementations. Council Member Powell said he thought this would be included in the workshop. Council Member Powell said one of the recommendations was the change of office hours. In response to Council President Beardslee, Council Member Henley noted the hot water heater would not be part of the personnel policy. Mayor Teague said that he has not read anything that states what the full time City Clerk's responsibilities would be, and that it is not in the personnel policy; it's an operational issue. Council President Beardslee said that Council Member Henley has spent the past couple of months in City Hall and made recommendations that have opened some areas that Council may or may not feel needs to be addressed. She said that some of the issues that related to City Hall, such as staffing, need to be looked at after reviewing the budget and after Mrs. Meeks can give an idea of internal recommendations. She said that she thinks the person who is going to be working in City Hall needs to give a report on the workload. Council Member Henley said he feels there needs to be a full time City Clerk. He said the City has spent a total of \$3270.00 on the Sheyenne Contreras' situation, and personal issues regarding Council Member Henley. The bill was for back and forth conversations with City Attorney Smith. Council Member Henley also expressed his concerns regarding \$345.00 attorney fee, as a result of communications between the City Attorney and Mayor Teague. City Attorney Smith clarified for Council that he has never been directed to do anything against Council Member Henley. Council Member Henley said there is also an issue about an anonymous call to Orange County about the installation of the hot water heater in City Hall. Council Member Henley said the matter has been "laid to rest". He said there have been a lot of things happening and his hope is that with the new election, the petty things will stop because it cost the City money.

Council Member Willis asked to be excused from the next meeting, as he will be out of town (excused absence accepted by Council President Beardslee).

Council Member Powell reported that he has been working with CSX over the past five or six years on the cleaning of the right-of-way. He did not know who will maintain the railroad right-of-way when CSX takes ownership. He said his contact does not know who will maintain tracks either.

Council President Beardslee said she wanted to express some concerns and ideas, and how to address them. She noted that in the past couple of weeks there has been the issue with the Assistant City Clerk, as it relates to internal financial control. She said that it has come to her attention that there may be a situation with the reserve account, which was pooled into one account over the years. She said it may have been a good idea at the time but now believes the City may have some risk exposure. She said she thinks it is time to address risk exposure with the reserve account. She explained the process through the Quick Books account and the link to the reserve account. She reported that when she spoke to the branch manager at Wachovia on January 4, 2011, there was a little over three million dollars in the account. She said the City

may have internal employees who have pin numbers to access the account for transfers. She would like to do something immediately to address the current risk exposure. In response to Council Member Powell, Mayor Teague said he didn't believe any of the employees who work for the City are bonded. Mayor Teague said the City does not have a reserve account, the City has an operating account. Everything is pooled into a single account. He said if the City wanted to limit the amount of the transfer, you can cap the limit. Council President Beardslee said that in her conversation with the Wachovia branch manager, she ask when would the City know if large sums of money are being transferred, and was told the bank would not even know until the next day. Council Member Henley said he will address risk exposure in the next meeting.

Favorable Motion to adjourn at 7:33 p.m. (inaudible).

Judy Beardslee, Council President

Bea L. Meeks, MMC, CPM
City Clerk

CITY COUNCIL APPROVED: **February 21, 2012 (Regular Council Meeting)**

(Former Acting City Clerk Wallace was the presiding City Clerk and official recorder of this meeting. City Clerk Meeks prepared these minutes from listening to the recording of this meeting)

**EDGEWOOD CITY COUNCIL
JANUARY 25, 2011 CITY COUNCIL WORKSHOP**

On Tuesday, January 25, 2011, the Edgewood City Council held a workshop at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida. Council President Beardslee called the meeting to order at 3:00 p.m. The following attendance is noted:

Attendees:

Council President Beardslee
Council Member Henley
Council Member Powell
Council Member Bozeman

Absent

Mayor Teague
Council Member Willis

Staff:

Debbie Wallace, Acting City Clerk
Pete Marcus, Police Chief
Shannon Patterson, Police Clerk

Council President Beardslee welcomed Police Clerk Shannon Patterson, incoming Mayor, Ray Bagshaw and incoming City Clerk, Bea Meeks. Council President Beardslee said the purpose of the meeting is to discuss and review personnel policies, as well as prior and current recommendations as provided by Council Member Henley, as it relates to internal operations of City Hall. All proposed changes have to be reviewed by the City Attorney, and also have to be changed through an Ordinance.

In response to incoming City Clerk Meeks, Council President Beardslee said she thought the personnel policy was adopted by Ordinance per the recommendation of former City Clerk Rounsavall. Council President Beardslee said she would like see if this can be changed.

Council President Beardslee said before Council reviews and discusses the personnel policy, she would like to make sure everyone is familiar with Council Member Henley's original review and recommendations. She referenced a memo Council members received in the November 16, 2010 meeting wherein, hours of operations, dress code, services, along with other recommendations.

Council President Beardslee began the discussion:

- Hours of Operations

Council President Beardslee said that the current hours of operations are 9 a.m. to 4 p.m., and that some Council members have indicated that they think the hours of operations should be 8 a.m. to 4 p.m. She said Council also needs to address lunch breaks for Staff.

Council Member Powell said that he would like to see City Hall opened 8 to 5, and lunches can be staggered. He said he thinks staff should have an hour for lunch. ***Council President Beardslee asked to have hours of operations added to the next agenda as "New Business".*** In response to Acting City Clerk Wallace, who asked if the Police Department's hours of operations would change too, Council President Beardslee said "When you think through the differences between you know PD is 24/7 as it relates to services, as it relates to people coming in that need something from a business perspective to City Hall". She then deferred to Chief Marcus. Chief Marcus noted that his doors open at 8 and close at 4 (administrative office). Acting City Clerk Wallace did not see the hours of 8 to 5 necessary. In response to unknown person from the audience, Council President said she is not aware of any complaints regarding the current hours of operations in City Hall. Council Member Powell said he thought giving the employees an hour for lunch would allow employees time to do "something that they want to". In response to Council Member Powell, incoming City Clerk Meeks said that she is concerned that some of the proposed changes is based on prior staff, and that she would like for Council to give the current staff a chance to show that they will stay within the current guidelines. ***It was agreed to have this on the February agenda:***

- Time Cards

Council President Beardslee asked if there was a possibility to defer time cards to the May meeting so that incoming City Clerk Meeks has time to monitor this situation. ***It was agreed to have this on the April agenda ("procedure for time keeping")***

- Dress Code/Working Conditions

Council President Beardslee said that City Hall now has hot water so there is no need to discuss. She noted that staff has uniform tops and dress pants. Council Member Powell noted that City Hall is a professional building and to forget Friday as a casual day. Incoming City Clerk Meeks asked about jeans. Council Member Powell said as long as there are fresh and clean, he does not have a problem with this. Incoming Mayor Bagshaw said he is "good" with this. Council Member Powell said he wants the "Friday anything goes" taken out of the personnel policy. He said this needs to be modified.

- Bids on Outsource Services

Council President Beardslee said that after new Council members are sworn in, all contracts are reviewed (aligns with the Charter). ***She requested that this be put on the March agenda.*** She noted all the contracts that she wanted placed on the agenda. Council Member Henley referenced former City Clerk Rounsavall's email regarding the W-2s, regarding the retirement box that was not marked appropriately. Council Member Henley says this problem needs to be

taken care of, and to make sure that the proper person is handling Quick Books. Referring to Council Member Henley's November memo, Council President Beardslee said that she would like to allow Incoming City Clerk Meeks to come and do an assessment of the needs and issues in City Hall and make a recommendation. She noted that currently the City pays \$12,000 annually for accounting services, plus an additional \$580.00 monthly because the City does not use the same software system. Council President Beardslee said that there is a need to have someone to do Accounts Payables and Receivables, Financial Statements and payroll, as well as make sure that all City finances are in line. Can the City contract a CPA firm to do all these things and save the City money? Council President Beardslee asked to consider contracting a CPA firm to come into City Hall three times weekly to perform this work. ***Council President Beardslee said that she would like to add to New Business reallocating money not used in budget and reallocate some of the money to have an Internal Review Audit.*** Council President Beardslee explained the process of a bond audit and the possibility of the City having one done. Incoming City Clerk Meeks ask to have a little time to settle before the City moved forward. She noted that there are no written procedures in City Hall. ***It was agreed to put an Internal Review Audit on the 2/15/2012 City Council meeting.*** City Council President asked Incoming City Clerk Meeks to find out if a Request For Proposal would have to be issued for the audit. Council President summarized what will be addressed: Contracts Benefits in the Policy, Work Schedule, who will do AP/AR.

Council Member Henley raised the question of staff contact with consultants and the fees associated with the communication. Council Member Henley said there should be some controls and process for this. Chief Marcus said that the department heads should have the authority to make the contact, and this will stop other staff from making the contact. Council President Beardslee said that the City Code allows the final interpretation to rest with the City Clerk. Acting City Clerk Wallace said some decisions in building have to go to the engineer because "we're not just City engineers here". She said she didn't have a problem with procedures and said she feels very experienced in the code but parts of it are very grey, and it is these time that they need a consultant's help. Council President Beardslee noted she said for "big spaces of time". It was agreed that incoming Mayor Bagshaw would spend time in City Hall to get a handle on procedures that need to be in place for City Hall staff. Council Member Powell said that with all the unused space in City Hall, the Mayor should have an office. Incoming Mayor Bagshaw was in agreement with this.

Council President Beardslee noted that Council Member Henley has "sticky" notes on his copy of the Personnel Policy. Council Member Powell said he has done the same. Council President Beardslee said that she has electronically marked her copy. She suggested that another workshop be scheduled to address the Personnel Policy. Council President Beardslee said she would like to do away with the current policy and adopt the new policy by Resolution. Council Member Powell noted that in 2007 when they revised the Personnel Policy, the "lady" assisting kept saying "this is the way other cities do it", and he didn't like the comment. He cited examples in the Policy that he questions. Council President Beardslee said that she does think that there needs to be a better checks and balance system. In response to Council President Beardslee, incoming Mayor Bagshaw said he doesn't have a problem communicating with Council and that the majority of the Council should make the decision. He said that there needs

to be a way that reprimands are initiated. He said the Mayor should have so many days to respond to matters, and if there is no response, then Council needs to address. Council President Beardslee said "if the Mayor's position won't effectuate something that needs to take place to protect the "reputation risk" then Council should be able to do "it". She noted the glowing evaluations of a former Assistant City Clerk, and that she personally sent in emails citing her concerns and they were not addressed. Incoming City Clerk Meeks said she does not see in the Charter where it give the Mayor the ability to suspend or terminate an employee. City Council President Beardslee said that there are some contradictions between the Charter and the Personnel Policy that kept the Council from effectuating action.

Incoming City Clerk Meeks ask Council members if she could review their notes and make sure there are no conflicts with the Charter. City Council President said she would like to be able to adopt the Personnel Policy by Resolution. In response to the Council President, incoming City Clerk Meeks explained the advertising requirements and confirmed there is a cost associated with the process.

It was the consensus of the Council to schedule another workshop on February 1, 2011 at 2:00 p.m. Council Members will provide their proposed changes and concerns regarding the Personnel Policy to incoming City Clerk Meeks who will compile the list and have ready for the workshop.

Council President Beardslee recapped those items for the February agenda, contracts and services will be on March agenda, and in the April meeting the incoming City Clerk and new Mayor will introduce procedures for time keeping and implement dress code. Also, incoming City Clerk Meeks will confirm if the bid procedures for an auditor, if required.

Meeting adjourned at 4:37 p.m.

Judy Beardslee, Council President

Bea L. Meeks, MMC, CPM
City Clerk

CITY COUNCIL APPROVED: **February 21, 2012 (Regular Council Meeting)**

(Former Acting City Clerk Wallace was the presiding City Clerk and official recorder of this meeting. City Clerk Meeks prepared these minutes from listening to the recording of this meeting)

**EDGEWOOD CITY COUNCIL
FEBRUARY 1, 2011 CITY COUNCIL WORKSHOP**

On Tuesday, February 1, 2011, the Edgewood City Council held a workshop at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida. Council President Beardslee called the meeting to order at 2:00 p.m. The following attendance is noted:

Attendees:

Council President Beardslee
Council Member Henley
Council Member Powell

Absent

Mayor Teague
Council Member Willis
Council Member Bozeman

Staff:

Debbie Wallace, Acting City Clerk
Pete Marcus, Police Chief
Shannon Patterson, Police Clerk

Council President Beardslee opened the workshop at 2:00 p.m. Council Member Powell noted that incoming Council Member John Dowless was in attendance. Council President Beardslee introduced incoming Council Member Dowless to staff.

The following is noted from this workshop:

- Discussion on merits given to employee when employee is exceeding at their job. Chief Marcus stated merits should go through the department head first.
- Council President Beardslee said that past issues have caused the policy to be looked at and revised.
- Council Member Powell asked where does it show in the policy where policy can change when needed.

Section 3 Administrative and Appointive Authority

- Discussion on termination of employee and reasonable reason to terminate someone. Discussion on the Mayor's authority to hire or terminate.

- Council Member Powell opened discussion on previous City Clerk who was directed to terminate an ex-employee and she did not.
- Incoming Council Member Dowless said that refusal is stripping the Mayor's authority to terminate.
- Council President Beardslee noted that in case the Mayor does not make decision can City Council make decision.
- Incoming Mayor Bagshaw said he would like to have communication and confirmation before anyone is terminated.
- Council President Beardslee said if mayor does not address within a reasonable time City Council can take action. City Council is not trying to take away power from Mayor. Refers to "glowing" evaluation of former assistant City Clerk before part time clerk resigned.
- Chief Marcus noted that Personnel Policy is not applicable to police officers.

Section 4 – Administration of personnel policies **Propose change –**

- Council President Beardslee said the proposed change is that Council members have a responsibility to the city and are accountable for the operations of the city.
- City Attorney Smith asked if Council wanted to include City Council as being responsible. Council President Beardslee said yes because Council needs to be more diligent in their accountability and diligence. Incoming Mayor Bagshaw pointed out this is dealing with policy not personnel. City Attorney Smith said "it is dealing with administration". He said it relates to separation of duties, City Council adopts policy and the "executive" executes.
- Council President Beardslee noted that the policy contains the requirements for reprimands and evaluating performance or insubordination.
- City Attorney Smith said the Mayor is still responsible for the day to day operation, and City Council can step in if the Mayor fails to take responsibility, it's creating protection if mayor does not take action.
- Council President Beardslee said it helps to identify how the word administration is used. It does not mean administering every separate little thing, its implementation. City Attorney Smith said he will include in this section a catch all paragraph "in the event that the Mayor fails to act" based on some type of a reasonable standard.
- City Attorney Smith suggested changing administration to execution.

Page 2-2 section 5

Authority for Development of Departmental Policies and Authority for Variance From Policy

- Council Member Powell asked is it on the Mayor to review and approve. City Attorney Smith said there may be things that are not in the document that the Mayor would need to approve for implementation.
- Council President suggested to change to “departmental procedure” and after approval of the Mayor also, provide the changes to Council in memo.
- Chief Marcus asked if this “comes into play” with regards to general orders. City Attorney Smith said the general orders come from the Police Chief and Mayor does not sign these therefore, he may want to make this an exception in the Personnel Policy.
- Incoming City Clerk Meeks noted that there should be language included as long as it does not conflict with State requirements.
- Council Member Powell asked is it department director or department head, City Attorney Smith agrees with department head. City Attorney Smith said this will be defined so that it is clear.
- Chief Marcus said that are no provisions for special extenuating circumstances. Council Member Powell suggest removing “individual” because it seems to refer more to a person, and replace with “extenuating”. Everyone agreed.

Section 3-1 At-will-employment

- Incoming City Clerk Meeks ask about the definition for “sick” days. She noted a discussion with a Human Resource Director with a State agency, who said there is not a definition for sick days. She further went on to discuss HIPPA requirements and violations. Incoming City Clerk Meeks noted Council Member Powell’s notation questioning the provision for a doctor’s notice for missing three consecutive days of sick leave. Incoming City Clerk Meeks suggested considering a policy that states if you call in sick within a thirty day period, then you can request a doctor’s notice indicating the employee is clear to work.
- Discussion regarding “At Will” and City Attorney Smith noted if you have cause there is less chance of being sued. He said you need a reason to terminate someone.
- Council Members Powell asked about “under Department Heads” (second paragraph) “For purposes of disciplinary actions... the Mayor shall be considered the Department Director of the City Clerk and Police..”. He suggested adding “by action of City

Council". City Attorney Smith questioned whether or not there is a Department Director over the City Clerk or Police Chief instead, have them answer directly to City Council.

- City Attorney Smith said it is important for employees to know that there is an opportunity to clear your name (name clearing). He pointed out that this is not a quasi judicial hearing.
- Council Member Powell said he is confused as to what is a designated work week. City Attorney Smith explained that the purpose of designating a work week is for payroll.
- City Attorney Smith explained what defines an exempt employee, noting that "just being salaried" doesn't make you exempt. He said you have to fit the category and gave example of an hourly employee going to exempt status.

Page 3-2 Overtime Pay and Part Time Employees

- Council Member Henley gave his opinion as it related to having a time clock, and employees abusing sick time.
- Council President Beardslee related that in the past, time sheets were not signed by a department head. She noted that overtime should be pre-approved by the department head however, the overtime circumstances for overtime are different for the Police Department and City Hall
- Chief Marcus explained how his department handles overtime and sick time. He noted that he is "vehemently" opposed to a time clock for cops.

(COUNCIL MEMBER HENLEY EXCUSED HIMSELF FROM THE MEETING)

- In response to Council President Beardslee, Chief Marcus said overtime is documented in the computer and on paper. He said the Sargeant knows who is working overtime and when.
- Acting City Clerk Wallace explained how employee time is kept in City Hall.
- Incoming Mayor Bagshaw discussed his past experience with overtime,
- Council President Beardslee explained why validating employee time is important.

Page 3-2 Exempt Employees

- Council Member Powell read from the Personnel Policy regarding part-time employees. He questioned these employees being available for vacation and sick leave.

- Council President Beardslee said that she agreed that part time employees should not be eligible for sick or vacation time. She said they should be eligible for contributions made to retirement, and they should receive holiday pay if their scheduled day falls on that day. City Attorney Smith reminded everyone that the accruals for a part time employee is less than that of a full time employee.
- City Attorney Smith said if you get away from benefits it might deter a good employee, make clear what is a part time, permanent part time versus temporary.
- Incoming Council Member Dowless suggested changing the policy to show "except where the daily work falls on a holiday, unless otherwise approved by the City Council". City Attorney Smith noted the problems the language could cause if the City was not consistent with the policy.
- Discussion regarding the difference in part-time employee versus a temporary employee. City Attorney Smith provided explanation. Council President Beardslee said "let's do the full benefits for permanent part-time".
- Council Member Powell described how he ran his private office. He said he does not want to "just give away the store" because these monies come from taxes the residents pay. He said he does not feel that now is a good time to offer the sick and vacation leave to part-time employee.
- Incoming City Clerk Meeks explained how she looks at succession planning and how a part-time employee could be a part of the plan. For this reason, you would want incentives to retain your part-time employees.
- Council President Beardslee said that she thinks there needs to do more "digging" as it relates to part-time employees and discuss further.
- Council President Beardslee said they will resume with Section 4-1 at the next meeting.
- Meeting schedule for February 8, 2011 at 2 p.m.
- City Attorney Smith said that incoming Mayor and Council members need to start operating under Sunshine Law. He explained communication is basically defined by State law, i.e. face to face, telephone, email, memo, using City Clerk, City Attorney, husband wife, doesn't matter anybody who is a conduit to go back and forth about business that may come before Council. He said do not send text messages or respond, as they are public record and they are hard to retain.

Having no further business, the meeting adjourned at 4:25 p.m.

Judy Beardslee, Council President

Bea L. Meeks, MMC, CPM
City Clerk

CITY COUNCIL APPROVED: **February 21, 2012 (Regular Council Meeting)**

(Former Acting City Clerk Wallace was the presiding City Clerk and official recorder of this meeting. City Clerk Meeks prepared these minutes from listening to the recording of this meeting)

DRAFT

**EDGEWOOD CITY COUNCIL
JANUARY 10, 2012 CITY COUNCIL WORKSHOP – PERSONNEL POLICY**

On Tuesday, January 10, 2012, the Edgewood City Council held a workshop at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida. Council President Beardslee called the meeting to order at 3:05 p.m. and explained that the purpose of the workshop is for review and consideration of revisions of the Personnel Policy. The following attendance for the workshop is noted:

Attendees:

Council President Beardslee
Mayor Bagshaw
Council Member Chotas
Council Member Powell
Council Member Dowless

Absent:

Council Member Malcolm Henley (excused)

Staff:

City Clerk, Meeks
Police Chief, Marcus
Police Clerk, Patterson
City Attorney, Smith

Council President Beardslee said that for clarification, the Personnel Policy does not govern those employees who are sworn police officers. She noted that copies of the CBA are available. She wanted to address Council Member Powell's concerns first.

Section 3.3 Probationary Period

Council Member Powell noted the following:

- Said there was a conflict of wording and noted suggested language by Council Member Chotas "A probationary employee is one who has not yet successfully completed the probationary period. The initial (new hire) probationary period for employees covered by this Personnel Policy Manual is six months". Council Member Powell said strike through "~~The initial (new hire) probationary period for employees covered by this Personnel Policy Manual is six months~~". He said it is in conflict with "wording earlier" indicating 30-days probation. Council Member

Chotas stated that he thinks there is a disservice if Council shortens the time frame, as a bad employee could make it through the shortened time. Council President Beardslee said that employees can accumulate vacation/sick time during that time however they cannot use until after they have satisfied probation. City Attorney Smith asked Council Member Powell if he is okay with adding to Probationary Period (terminated at any time with or without cause) and Council Member Powell said he is okay with this language.

Section 4.2 Demotion

Council Member Powell said he is concerned with "Demotion" (Section 7), and the pay rate associated with demotion. Council Member Chotas explained difference in voluntary to involuntary demotion. Council Member Powell said he didn't want it to be misinterpreted. Council President Beardslee asked if there is language that should be in Personnel Policy regarding cut in staff and pay cuts. City Attorney Smith said he is not aware of anything.

Section 5.1 Recruitment (A)

Council Member Powell noted that the policy states that the Mayor shall recruit within "reasonable time", and asked who considers what is reasonable. Council President Beardslee said the City Council determines what is reasonable.

Page 33 Regarding conditional employment.

Council Member Chotas asked when does Council get involved with salary. City Attorney Smith said its part of the budget and Council approves positions in the beginning of budget process, along with salary range.

Section 5.2 Rejection of Application

Council Member Powell questioned adding "illegals" to the City employment application. City Attorney Smith said that it would be illegal for the City to add this when the law already provides. Council Member Chotas asked City Clerk Meeks how difficult would it be to add to application "not an illegal alien". City Clerk Meeks said she will review current application as this may already be on the application.

Council Member Powell said this was all he had noted.

Council President Beardslee asked Council member Chotas to provide his comments.

Section 2 (P.20)

Council Member Chotas said delete the words "and shall be confirmed" and insert "subject to being confirmed".

Section 4 Administration of Personnel Policies

- Council Member Chotas said delete "required by these policies" , as it is an in an sentence earlier. City Attorney Smith suggested the language "take any such necessary actions". Council Member Chotas said he is okay with this.
- P. 22 the definition of department supervisors – Council Member Chotas he said he believes the word is pretermination (remove "de").
- P. 26 Sec 1 "with approval of City Council" – Council Member Chotas said makes it difficult for anyone to be responsible for uniform and consistent administration. He said this should be taken out. He said the Mayor should have responsibility, no one else should have responsibility. He noted that the Mayor may have to get approval from City Council as noted in Section 2, but the word "in that spot" means nobody is responsible. (agreed)

Section 13 Page 28

- Council Member Chotas (6th line) said there should be a space between "that" and "exist".

Section 1 Page 31 (5-1B) Recruitment

- Second un-numbered paragraph (3d line) Council Member Chotas noted "must approve."

Section 5 (a) Page 33

- Council Member Chotas wanted to know when does Council ask what the salary will be. Council President Beardslee noted that this is part of the budgeting process, and if the Mayor is operating within the budget and not spending more money, the Mayor should be able to make the decision.
- Council Member Chotas questioned the conditional offer of employment process. City Attorney Smith noted that there is Council approval for the position and Council approval for the employee.

Section 6 B Page 34

- “Each new employee shall sign policies” – Council Member Chotas said the word “policies” is not defined anywhere in the policy more specifically, the signature page. He asked if just a signature page be provided. Chief Marcus asked about allowing an electronic signature and Council consensus agreed an electronic signature is okay. City Attorney Smith said he does not have a problem with the electronic signature as long as the electronic signature does not disappear.

Section 7 Page 43

- Council Member Chotas in the last line it states “ownership of material interests”, he thinks “of” should be “or”.
- Page 44 (Section 9-2) Council Member Chotas said it is missing the word “the” (Mayor determines the office sought).

Section 8.2 Page 62 Duration

- Council Member Chotas said he wants to make sure it is clear what this is going to say. He said that the period of probation should be 6 months and evaluation is done in 60 days. City Attorney Smith said that “merit may be considered”

Section 7 Page 63

- Council Member Chotas wanted to clarify that this verbiage goes back to the original 90 days.

Section 11-3 C Page 74

- Council Member Chotas said that “Supervisor” should be lower case.

Section 8A Page 74

- Council Member Chotas believes the line should read “absence with failure to obtain prior authorization”. He read the following: Absence with failure to obtain prior authorization to be absent from your work area or with failure to notify supervisor of employee absence due to illness or emergency.
- Page 80E Council Member Chotas (3rd line) read “in accordance with applicable statutes” , and noted that he thinks it should be “and the respective insurance policies” ; take out the “/or”.

Section 5A Page 81 Florida Retirement System

- Council Member Chotas noted that it should read “Florida Retirement System”.

Section 8B-1 Page 83

- Council Member Chotas said that after the word “department” should be the word “supervisor”. Council Member Chotas said this should be “B (2)”, and after the first bullet, “circumstances” under request, e.g. zero sick leave balance, take out the rest, ~~“as a result of sick leave abuse”~~.
- Page 84 Council Member Chotas noted “the following days shall be official paid holidays” and said that all that is being done is defining the holidays and need to take out the word “paid”.
- Page 89 Council Member Chotas noted that 90days should be changed to six (6) months.

Section 15-12 Page 120

Council Member Chotas said replace Director with Supervisor where it reads “Signature of Department Director”.

Section 16-1 Page 121

Council Member Chotas noted again that department director should be department supervisor (last line in “A”).

Section 16-4 Page 124

Council Member Chotas (Paragraph 2- third line) noted again director should be supervisor

Section 17-3 Page 128

Council Member Chotas noted this should read “without access pretermination hearing”, take out the letters “de”.

Council Member Chotas noted the same change on Page 129, “pretermination”.

Council President Beardslee noted the following:

Section 3-3

- Regarding part-time Employee, Council President Beardslee asked “why are they not eligible for holiday or “bereavement leave”? Council Member Dowless said the cities he received information from had pro-rated pay. Council President Beardslee said that the City should be competitive with like municipalities. (Council President Beardslee left to make a phone call) Mayor Bagshaw said he agrees with Council Member Powell. City Clerk Meeks clarified insurance policy requires an employee to work no less than 32 hours weekly. Mayor Bagshaw noted that the current part-time employees work 24 hours per week. Council Member Powell said to leave bereavement leave in the policy for part-time employees but not in agreement with part-time employees receiving insurance benefits. Council Member Chotas wanted to know how you would establish holiday or bereavement with a part-time employee. Mayor Bagshaw said time is prorated based on the number of hours. Council Member Chotas said what the Mayor is suggesting is “eligible for vacation, sick leave, holiday pay or bereavement leave with the accrual rate prorated based upon the part-time employee’s authorized work schedule”. Mayor Bagshaw agreed with the language. (Council President Beardslee returned to workshop) Council President Beardslee said that the actual dollars “of this” are so minute in comparison to be able to retain “them”. Police Clerk Patterson said the police department has had four (4) part-time employees and it’s hard to get a part-time employee like Stacey to not leave when they can go to another job full time. She noted that Stacey is looking for a full-time job. Council President Beardslee said there is a cost associated with re-training. Council Member Chotas said he thinks it would be helpful if the Mayor had the ability to offer benefits to part-time employees in his negotiations. He said you would factor the benefits into the part-time employee’s pay. Council Member Chotas asked if the Mayor would work with City Attorney Smith to see if there is an ability to work with the insurance contract to get part-time insurance benefits. Council Member Chotas asked to delay this discussion so that City Attorney Smith can have time to review insurance contract(s).

Section 4-2

- Council President Beardslee questioned “If an employee is laterally transferred or reclassified (no change in the level of difficulty/responsibility of position), his/her pay rate will remain the same”. She said she thinks it should be changed to may remain the same, as she feels this should be discretionary.
- **Section 6** Council President Beardslee said the same change should be applied to “When an employee is promoted to a position vacancy with a higher level of difficulty/responsibility, his/her pay rate may will be increased as determined by the Mayor or City Council”.
- Council President Beardslee noted in the next paragraph “The pay rate of an employee promoted to a position as Department Director shall be determined by the Mayor or City

Council commensurate with the responsibilities of the position and competitive with other public agencies". She said it should be with City Council approval. She said take out "Mayor or".

Section 4.5

- Council President Beardslee said delete "or City Council".

Section 14-15

- Council President Beardslee stated her concerns with a checks and balance to ensure that the department supervisor doesn't use reprimand to keep employee from their longevity pay. She said she thinks Council should have the final say on this. Mayor Bagshaw noted that there is a grievance process in case this should occur. After much discussion, it was agreed to leave this policy alone.

Section 5-2 Page 32

- Council President Beardslee said City Council shouldn't be conducting interview for department heads. She said she thinks the Mayor should do this and Council have option to talk to them. She said council shouldn't have to be doing the recruiting and hiring. Council Member Dowless said Mayor is dealing with that person so Mayor should recruit and hire. City Attorney Smith said it is very common for the City Clerk and Police Chief to interview with Council. Mayor Bagshaw said he will bring candidates to Council for final interview.

Section 6-15 Page 51 Grooming & Personal Appearance

- Council President Beardslee said she thinks that grooming and appearance should be up to the supervisor. Council Member Powell was not in agreement. City Attorney Smith noted that if Council doesn't agree with the department supervisor's acceptance of grooming and appearance, Council can address the supervisor. Council Member Powell said he is okay with "supervisor's discretion".

Section 10-2 Page 68 Interview Process for Promotional Candidates

- Council President Beardslee read the policy and asked if someone could define "review board", and how it would be established and selected? City Attorney Smith explained hiring department as City Hall or Police Department, i.e. if the Chief is hiring then this is the hiring department. Mayor Bagshaw suggested the language "in the department which the employee is being placed".

Section 7 11-3 Page 74 Breaks and Lunch

- City Council President Beardslee asked if it is okay to not have an “official lunch” break. City Attorney Smith confirmed this is okay as long as the employee gets paid.

Section 8-B

- Council President Beardslee said it is a huge decision to make if City converts to a single bucket. Mayor Bagshaw wants to do buyout and make transition. Council President Beardslee said the City needs to be ready to make the conversion. Chief Marcus said Shannon will be penalized the most and would like for Council to look very closely at what they do. Mayor Bagshaw said he is not as concerned with the bucket accrual as he is with placing a limit so the hours don't keep accruing. Council President Beardslee asked if everyone is okay with a cap. City Attorney Smith said he will devise language. City Attorney Smith, suggested one (1) year of sick leave. Council President Beardslee said one hundred and sixty (160) hours of sick time. Mayor Bagshaw suggested vesting sick leave at beginning of year. Chief Marcus reminded everyone that the policy only affects eight (8) employees.
- Council President Beardslee would like to have first reading of Ordinance February. Council Member Chotas wants to take out 25% for sick leave. Council Member Dowless pointed out that City of Malabar converts sick over to vacation. Mayor Bagshaw said he would like to check thinking maximum would be a two hundred and forty (240) hour capacity, and base buyout on fiscal year.

Request for Qualifications (RFQ) – Mayor Bagshaw

Mayor Bagshaw reported that there were eleven responses received in response to the Request for Qualifications for engineering services. The Mayor reported that he contacted current City Engineer Miller to let him know the RFQ had been noticed in the paper, and confirm he had an opportunity to be considered if he wanted to submit a response. Mayor Bagshaw said that the responses were reduced to four. He explained that one company was eliminated because their expertise was wastewater or traffic. Another company was eliminated because they were a one person shop that relied on sub-contractors. Mayor Bagshaw said resident Frank Aguiliar reviewed the RFQ's and determined what he thought was the best for the City. The four companies he selected can do grant writing, planning, comprehensive planning and engineering. Mayor Bagshaw named the following four responses for consideration:

Selected companies:

- Florida Engineering Group (FEG) – office is in Edgewood
- Bowyer-Singleton & Assoc., Inc. (BSA) – well respected
- Weaver-Boos

- BESH

Mayor Bagshaw would like to request bids for the fees of the four companies selected. Council Member Dr. Powell requested that Engineer Miller be asked for his input. Council President Beardslee said to be prepared for sticker shock.

Having no further business, the meeting adjourned at 5:56 p.m.

Judy Beardslee, Council President

Bea L. Meeks, MMC, CPM
City Clerk

CITY COUNCIL APPROVED: **February 21, 2012 (Regular Council Meeting)**

**EDGEWOOD CITY COUNCIL
REGULAR MEETING--JANUARY 17, 2012**

On Tuesday, January 17, 2012, the Edgewood City Council held a regular meeting at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida. Council President Beardslee called the meeting to order at 6:31 p.m. Council Member Powell gave the invocation followed by the Pledge of Allegiance.

The following attendance is noted:

Attendees:

Mayor Ray Bagshaw
Council President Judy Beardslee
Council Member Neil Powell
Council Member John Dowless
Council Member Malcolm Henley
Council Member Lee Chotas

Staff

City Clerk Bea Meeks
Police Chief Pete Marcus
City Attorney Kalanit Oded (Sitting in for Attorney Drew Smith)

CONSENT AGENDA

1. Approval of:

December 20, 2011 Minutes – Regular City Council Meeting

Council Member Powell made the Motion to approve the Consent Agenda, with Second by Council Member Dowless. Unanimously approved.

PRESENTATIONS

None.

ORDINANCES -- FIRST READING

None.

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

- 1 ORDINANCE NO. 2011-07: AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 30, HEALTH AND SANITATION, OF THE CODE OF ORDINANCES, TO CREATE ARTICLE IV, BEGGING, PANHANDLING AND SOLICITING ON SIDEWALKS AND STREETS, TO PROHIBIT PANHANDLING IN CERTAIN AREAS OF THE CITY AND AGGRESSIVE PANHANDLING THROUGHOUT THE CITY; PROVIDING LEGISLATIVE FINDINGS, PROVIDING**

PENALTIES FOR VIOLATIONS; PROVIDING FOR
SEVERABILITY, CONFLICTS, CODIFICATION AND
EFFECTIVE DATE.

City Attorney Oded read Ordinance No. 2011-07 in title only.

Council Member Powell made the Motion to approve Ordinance 2011-07, with Second by Council Member Dowless.

Council Member Chotas questioned wording that related to constitutional rights of panhandling. In response to Council Member Henley, Attorney Oded said she has not heard any complaints. Chief Marcus confirmed for Mayor Bagshaw that the City does require permitting for solicitors. Council Member Powell expressed his concerns about the "restrictiveness" of the proposed Ordinance, noting that he doesn't want it misinterpreted from what Council is trying to stop from happening. **Council Member Chotas made a Motion for the following amendment:**

The City Council recognizes a constitutional right to beg, panhandle or solicit in a peaceful and non-threatening manner. The City Council finds, however, that an increase in aggressive begging, panhandling or soliciting throughout the city has become extremely disturbing and disruptive to residents and businesses, and has contributed not only to the loss of access to and enjoyment of public places, but also to an enhanced sense of fear, intimidation and disorder.

The law is not intended to limit any persons from exercising their constitutional right to beg, panhandle or solicit funds, picket, protest or engage in other constitutionally protected activity. Its goal is instead to protect citizens from the fear and intimidation accompanying certain kinds of begging, panhandling or solicitation that have become an unwelcome presence in the city, and to prohibit aggressive begging, panhandling and solicitation, and begging, panhandling and solicitation in certain public places based upon significant governmental interests.

Council Member Chotas said if Counsel thinks this is not appropriate, he would like to know why, and that he cannot support the Ordinance without the amendment. He said he is okay to defer to February meeting. City Clerk Meeks confirmed the newspaper notice included language allowing Council to table to another meeting time certain. Council Member Henley suggested a different language for the first paragraph.

Council Member Powell Second the amendment. Council President noted that Council Member Chotas said he is not willing to approve the Ordinance without the amendment and would like to move to the February City Council meeting. She said she felt confident that City Attorney Smith understood her intent to provide a safe environment, not to impede on anyone's rights, to create a safe environment not just for the residents, but for anyone who comes and goes through the City. She said this was her intent of the Ordinance and she wants to make sure the proposed change does not take away from her intent. Attorney Oded said it is better to have legislative findings to support what the City is doing, and she has to warn Council of this. **Council Member Powell called to question. Council unanimously approved the amended Motion.** Council President Beardslee opened to public comment. There being no public comments, the Public Hearing was closed and City Clerk Meeks took the following roll call vote:

Roll call Vote:

Council Member Powell
Council Member Dowless
Council Member Chotas
Council Member Henley
Council President Beardslee

All favor-second and final reading of Ordinance No. 2011-07 as amended.

1. **ORDINANCE NO. 2011-08:** AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, RELATING TO THE LOCAL BUSINESS TAX ACT; AMENDING SECTION 34-19 OF THE CODE OF ORDINANCES BY PROVIDING THAT PERSONS ENGAGING IN OR MANAGING ANY PROFESSION IN THE CITY SHALL NOT BE REQUIRED TO PROCURE A BUSINESS TAX RECEIPT WHEN SUCH PERSONS ARE EMPLOYED BY A BUSINESS THAT HAS PROCURED A BUSINESS TAX RECEIPT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

City attorney Oded read Ordinance 2011-08 in title only.

Council Member Powell made the Motion to approve Ordinance No. 2011-08, with Second by Council Member Dowless.

Council President Beardslee opened for public hearing, there being no comments the public meeting was closed.

Council Member Chotas said he is in favor of complete repeal of the business tax receipt. He said that Chapter 205, Florida Statute, regarding local business tax receipt is a mechanism to raise additional funds. Council Member Chotas proposed that the City of Edgewood do away with the Business Tax Receipt, and still have an occupational license and assess a fee for the privilege of doing business in the City. He suggested that the Ordinance be sent back for review. Council Member Henley reminded Council of the meeting wherein Council discussed annexation, and said we did not annex. Council Member Henley said if this is not broke don't fix it. Council President Beardslee said she is giddy over the potential of making a tax go away; on the other hand, she said they need to consider the ramifications. Council President Beardslee said she remembered when a Business Tax Receipt was an occupational license. She said she does not want to do something to impact the budget immediately. Council Member Dowless said he thinks we are trying to clarify who pays, instead of changing the rate. Council President Beardslee suggested that the Ordinance be sent to Attorney Smith for review and recommendation. Council Member Chotas suggested sending Chapter 205 to Attorney Smith, with specific emphasis on requirements as it relates to a Committee. Council Member Chotas referenced the equity study committee and questioned if the City went through the process. City Clerk Meeks said that the City did perform the equity study. Council Member Powell noted his concerns about eliminating the business tax levy. He noted that the police get a lot of calls from businesses regarding theft, cars parked where they shouldn't be, etc. therefore, businesses requires the need for police protection. Mayor Bagshaw noted to Council an article that was in the Orlando Sentinel this past weekend that related to unlicensed professional. Resident JT Blanton said this is simply a clarification of an application that exists,

and that it boggles his mind that it takes a committee to clarify. Mayor Bagshaw asked if Council approves the Ordinance; make it effective until next fiscal year, because the levy was included in the current fiscal year budget.

Council President Beardslee made the Motion to table the final hearing to the February 21, 2012 City Council meeting to allow the Ordinance to go back to review, specifically address requirements that may or may not have been addressed. Council Member Dowless Second the Motion, and the Motion was unanimously approved.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

GENERAL INFORMATION (No action required)

None.

CITIZEN COMMENTS

None.

BOARDS & COMMITTEES

None.

STAFF REPORTS

1. Police Chief

Quarterly Activity Update – Fourth Quarter 2011

- Chief Marcus deferred to his quarterly report. Council President Beardslee said the report does seem larger. In response to Council Member Dowless, Chief Marcus explained the difference between assault and battery. He also explained obstructing justice.
- Reported that the red light camera at Orange and Holden is being install however, there are some problems with the cable. He said the installation is proceeding at both intersections. He provided the Council with a handout that will be sent out to resident providing notice of the cameras. Council President Beardslee asked about distribution. In response to Council President Beardslee, Mayor Bagshaw said it has not been decided yet when the handout will be provided to residents, and noted it would be at the Council pleasure.

- Chief Marcus confirmed for Council Member Powell that the camera violations will only address “straight on” driving and not right on red. Council Member Powell said the notice does not provide this information.

City Clerk

- Reported that Cinnamon Wild, Administrative Assistant, has reached her 6-months employment status. Noted that evaluation has not been done but will be favorable.
- Noted that Cinnamon provided a report of the work she has been performing including, the Business Tax Receipts, archives, and day-to-day operations.
- Reported that Cinnamon is working on selling ads for the City Newsletter to help offset the costs associated with the Newsletter.
- Reported that she is working with Tom Reilly, Holland & Reilly, including confirmation letters to be sent to entities that provides revenues to the City, as part of the FY 10/11 audit.
- Noted that there are still some outstanding minutes to be prepared, some of which were left from the former Acting City Clerk. These will be completed for the auditors.
- Reminded Council that the election is January 31, 2012.

City Attorney

No report.

MAYOR & COUNCIL REPORTS

Mayor Bagshaw

- Reported that he contacted Rollins College inquiring as to students who may be willing to work on website as part of their class work. Council President Beardslee said she thinks it is difficult to navigate around the website. Mayor Bagshaw said it needs to be more user friendly. Council Member Dowless said it is busy. City Clerk Meeks said they get complaints in City Hall about the web site. Chief Marcus said they are not encountering any problems with Scott Zane going to reserve and continuing his computer work.
- Reported that Sun Rail is still looking at the quiet zones. Mayor Bagshaw confirmed for Council President Beardslee that freight has to travel at night.
- Announced that Edgewood is hosting the February 16, 2012 Tri-County luncheon at Tommy Addison. He said the City’s insurance broker will be sponsoring the event.
- Reported that the group putting together the Farmers Market is “shooting” for first Thursday in February as the start date.

- Reminded Council that City Hall will be closed on February 20, 2012 in observation of President's Day.
- Noted that she will make available a copy of Cinnamon's report, if requested.

Council Member Chotas

No report.

Council Member Henley

No report.

Council Member Powell

Council Member Powell said he had no report but wanted to know how many read Quality Cities, and noted the legislative information provided. He encouraged that Council contact the City's legislators particularly, as it relates to home rule.

Council member Dowless

- Reminded City Attorney Oded that Attorney Drew Smith was to follow up on his questions regarding engineering requirements at Legacy.
- Noted that Mayor Bagshaw was digging on the grounds at City Hall today making repair to the irrigation system. Council President said she thinks that residents are seeing what is going on. Council Member Dowless said the is City lucky to have Mayor Bagshaw.

Council President Beardslee

- Noted for City Clerk Meeks who that there is a Resolution that says City will not sale anything more than a business card for the Newsletter. City Clerk Meeks said she was not aware of this Resolution, and that City Hall staff was following what former staff was doing. She said she will research and locate the Resolution.

ADJOURNMENT

Having no further business, on the Motion of Council Member Powell, with Second by Council Member Dowless, the meeting adjourned at 8:23 p.m.

Judy Beardslee, Council President

Bea L. Meeks, MMC, CPM
City Clerk

CITY COUNCIL APPROVED: **February 21, 2012 (Regular Council Meeting)**

**EDGEWOOD CITY COUNCIL
BUDGET WORKSHOP– AUGUST 23, 2011**

On Tuesday, August 23, 2011, the Edgewood City Council held its Budget Workshop at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida. Council President Beardslee called the meeting to order at 6:37 p.m.

City Clerk Meeks noted for the records the members present, and those absent, and noted there is a quorum although this is a workshop and not a voting session.

Attendees:

Mayor Bagshaw
Council President Beardslee
Council Member Henley
Council Member Powell
Council Member Dowless

Absent

Council Member Bozeman (Absent; Clerk Meeks reported she has not heard from him)

Staff:

Bea L. Meeks, City Clerk
Pete Marcus, Police Chief

Mayor Bagshaw provided a Balance Sheet (General Fund; July 3, 2011). Council President Beardslee deferred to Mayor Bagshaw, who noted the variances as it relates to the three different proposed millage rates. Council President asked if any council members had any concerns about any particular line items. Council President Beardslee asked to change 2010/2011 on Page 1 to 2011/2012.

Council President Beardslee said her questions are general. She asked where the City is on capital improvement projects. Mayor Bagshaw said at the very latest, the City should not start later than 2013. Mayor Bagshaw said that maybe after September the City can commit or assign some funds for capital improvement projects. Mayor Bagshaw asked about the \$100,000 the City obligated to the Lake Mary Jess retrofit project. He said this would help the budget. Council President Beardslee noted a contingent liability versus an obligation. Clerk Meeks noted that the City has an Interlocal Agreement for this project. Council President Beardslee said if

this is the case than it should be a contingent liability. The City Clerk was asked to confirm with the City Attorney.

Council Member Powell asked about excess receipts over disbursements. Mayor Bagshaw said this amount would be lower if the Lake Mary Jess monies were removed.

Council President Beardslee referenced the 2009 referendum ballot in particular, the unrestricted reserve not to exceed 75%. She explained the purpose and intent of this referendum. She noted that it was not intended for the excess monies to be spent but go to a reserve or services to the City. She said she is concerned about the budget amendments and that one needs to be done. She said she thought there would be one on the September 6, 2011 Council agenda but not sure if amendment can be prepared in time. She feels the dollar amount will have an impact on the 11/12 budget. Mayor Bagshaw confirmed that the unrestricted reserve is on the Balance Sheet he gave at the beginning of the workshop. Council President Beardslee said she doesn't see anything in the budget that can be slashed without having an impact. She questioned Belle Isle's monthly service fee; Mayor Bagshaw said it will be removed. She said there is no way to project any monies from red light cameras. Chief Marcus said no, and he wanted to disassociate revenues with red light cameras, as the cameras are for safety.

Council Member Dowless asked if there is any way to determine any residual funds. Mayor Bagshaw confirmed that there will be savings on the health insurance; not sure how much. Council President Beardslee said we already know the City is saving \$24,000. Council President Beardslee said the bookkeeping services will be reduced; Mayor Bagshaw said he and Pam Henley estimated about a \$6000.00 savings. City Clerk Meeks and Chief Marcus noted the savings in FRS for July through September. City Clerk Meeks pointed out that in conversation with the accounting firm, the City has until November 30 2011 to do budget amendments. Mayor Bagshaw said his concern now is agreeing on a millage rate and refine the budget. Council President Beardslee said she thinks the City is fortunate because we haven't had the foreclosure rates that other Cities have incurred. She noted that the Newsletter has been telling residents that the City is in good shape and so she isn't sure she wants to go with a 4.7 millage. Mayor Bagshaw said he has had one call over the proposed millage rate.

Mayor Bagshaw said the City has been very good to the residents. He noted that the population went from 1900 to 2500, so there are some pluses but unknown variables. In response to Council Member Dowless question regarding funds in roads and streets; Mayor Bagshaw said the initial amount was inflated. He said this is why he agrees with Council President Beardslee to get the numbers as close as possible. Council President Beardslee said the City is not broke but wants to build up the unrestricted reserve. In discussion regarding annexations, Mayor

Bagshaw said he did not include annexation because of the need to update the City's Comprehensive Plan.

Council President Beardslee said "last summer" Council discussed adding another officer, and giving funds for the Charter School. She related when resident Ellen James spoke at this meeting and how she broke down the funds.

Mayor Bagshaw confirmed for Council President Beardslee that the millage increase was approximate 16%. Council Members Powell and Henley said they are okay with the 4.7 millage. Council President Beardslee and Council Member Dowless said they have concerns with the 4.7 millage. Mayor Bagshaw reminded Council that he does not vote. He reminded them to move out the Lake Mary Jess project.

Mayor Bagshaw said that he is okay with a 4.4 millage rate but money will have to come out of the General Fund. He said he wouldn't want to go lower than the 4.4. Council Member Powell said he promised to help do some improvements to the streets and it hasn't been done. He said we need to keep in mind that we have to do this. Council President Beardslee said that 4.7 won't "get us there". ***Consensus to move forward with 4.7 millage rate.***

Discussion regarding missed meetings (City Clerk provided memo to Council provided by Attorney Virginia Cassady). Council President Beardslee explained Charter requirements regarding Council attendance.

Having no further business, the meeting adjourned at 8:27 p.m.

Judy Beardslee, Council President

Bea L. Meeks, MMC, CPM
City Clerk

CITY COUNCIL APPROVED: **February 21, 2012 (Regular Council Meeting)**

**CITY OF EDGEWOOD, FLORIDA
MAYORAL PROCLAMATION**

WHEREAS, Pine Castle's Pioneer Day is a time to reflect on the achievements of past generations and to accept responsibility for protecting a community's heritage; and

WHEREAS, Pioneer Day is a time to celebrate Pine Castle's uniqueness and to rejoice in their heritage and environment; and

WHEREAS, the Pine Castle community has celebrated their pioneer spirit since 1974; and

WHEREAS, Pine Castle's Pioneer Day is an annual family-oriented, community-sponsored/planned event promoting the living history of the Pine Castle area thru demonstrations and other educational opportunities for attendees.

WHEREAS, I call upon all citizens to celebrate the richness of Pine Castle's past and the promise of its future.

NOW, THEREFORE, I, RAY BAGSHAW, MAYOR OF THE CITY OF EDGEWOOD, FLORIDA DO HEREBY PROCLAIM *the weekend of February 25 thru February 26, 2012, as*

"Pine Castle Pioneer Day"

In the City of Edgewood we urge all citizens to participate and enjoy this event.

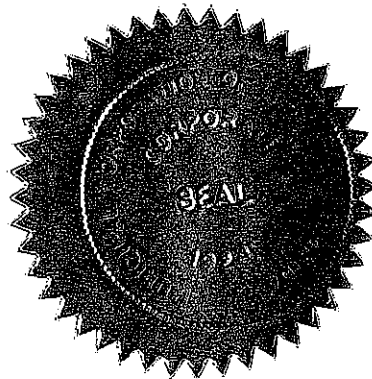
Dated this 21st day of February, 2012.

Ray Bagshaw, Mayor

SEAL

Attest:

Bea L. Meeks, MMC, CPM
City Clerk



MEMO

TO: Mayor and Council Members
FROM: Bea L. Meeks, City Clerk
DATE: February 15, 2012
RE: RFQ – Engineering Services

B

As you know, in December the City noticed in the Orlando Sentinel a Request for Qualifications for Professional Engineering Services (see attached ad). Council was informed in a January workshop that eleven submittals were received in City Hall, and reviewed by Frank Aguilar. Mr. Aguilar reviewed all the submittals and selected four firms, whose qualifications he believed aligned with the needs of the City (see attached list of firms). In the January workshop, it was agreed that staff would request fee schedules from the four firms (see attached), and Council would consider in the February regular City Council meeting. The paragraph below explains the negotiations process. It also provides that the City may reject all proposals.

It is the purpose of this qualification process to enter into a contract with the highest-ranking firm or firms for PROFESSIONAL ENGINEERING SERVICES. To that end, negotiations shall begin with the selected firm or firms beginning with the highest ranked firm and ending upon successful negotiation with the selected firm or firms. If the City cannot negotiate a satisfactory contract with any of the top ranked firms, the City may select additional respondents in the order of their competence and qualification and continue individual negotiations until an agreement is or additional agreements are reached. Should the City be unable to negotiate a contract with any competent qualified firms, the City may reject all bids and restart the selection process with a newly issued RFQ.

As stated in Paragraph 1.5 above, the City reserves the right to reject all submittals, to waive any irregularities and solicit and re-advertise for other qualifications.

The four firms will be giving brief presentations in the February 21, 2012 City Council meetings. Please note that the presentation will be done in alphabetical order of the firm's name, and in no way represents the order of ranking. The firms highlighted on the "list of firms" provided represent the four firms selected by Mr. Aguilar. The ranking sheet provided is based on the criteria in the RFQ, with the addition of fee schedule.

LEGAL ADVERTISEMENT

REQUEST FOR QUALIFICATIONS PROFESSIONAL ENGINEERING SERVICES

The City of Edgewood, Florida is soliciting a qualified persons or firm to perform professional engineering services on a continuing basis. Consultant services may include, but are not limited to, participation in the development review process and project assistance related to utilities, storm drainage, sidewalks and roadways, signage traffic signals, and public building facilities, and attendance at various meetings.

Qualifications from individuals and firms will be received at City Hall, 405 Larue Avenue, Florida 32809 until **2:00 p.m.** local time on **Thursday, December 29, 2011**. Submittals may be either mailed or hand delivered to the Office of the City Clerk prior to the above deadline.

ALL QUALIFICATIONS SUBMITTED SHALL BE SEALED AND MARKED: "RFQ - PROFESSIONAL ENGINEERING SERVICES."

Qualifications shall be submitted together with any and all supporting documentation enclosed.

It is the responsibility of the bidder to ensure that qualifications are received in the Office of the City Clerk not later than the specified time and date. Submittals received after this date and time will not be accepted or considered and will be returned to the respondent unopened. No telegraph or facsimile submissions will be considered. No submissions will be accepted or received in any other office.

The City reserves the right to waive any informalities or minor irregularities; reject any and all qualifications which are incomplete, conditional, obscure, or which contain additions not allowed for; accept or reject any qualifications in whole or in part with or without cause; and accept the qualifications which best serve the interests of the City.

The City of Edgewood is an Equal Opportunity/Affirmative Action Employer.

Interested parties may obtain a RFQ, Professional Engineering Services package via e-mail by calling the City at (407) 851-2920 from 8:00 a.m. to 4:00 p.m., Monday through Friday or at the City's website, <http://www.edgewood-fl.gov/>.

REQUEST FOR QUALIFICATIONS - ENGINEERING SERVICES

DATE	TIME	FIRM	1 ORIGINAL COPY	6 COPIES
12/16/2011	2:00 P.M.	CPH 500 W. Fulton Street Sanford, FL 32771	Yes	Yes
12/22/2011	10:37 A.M.	BESH 350 N. Sinclair Avenue Tavares, FL 32778	Yes	Yes
12/22/2011	12:51 A.M.	Boyer/Singleton 520 S. Magnolia Avenue Orlando, FL 32801	Yes	Yes
12/27/2011	3:32 P.M.	FEG 5127 S. Orange Avenue, Ste. 200 Edgewood, FL 32808	Unmarked	Yes
12/28/2011	2:02 P.M.	D. Michael Miller, P.E. P.O. Box 2050 Mount Dora, FL 32756	Yes	Yes
12/28/2011	3:27 P.M.	AMEC P.O. Box 5467 Lakeland, FL 33807-5406	Yes	Yes
12/29/2011	10:42 A.M.	Littlejohn Engineering Assoc. 1615 Edgewater Drive, Ste. 180 Orlando, FL 32804	Unmarked	Yes
12/29/2011	12:31 P.M.	Spectra Engineering & Research, Inc. 1060 Maitland Center Commons Suite 340 Maitland, FL 32751	Unmarked	7
12/29/2011	1:00 P.M.	ATJ Consulting LLC 8248 Lexington View Lane Orlando, FL 32835	Yes	Yes
12/29/2011	1:12 P.M.	Weaver-Boos 365 Citrus Tower Blvd Ste 110 Clermont	Yes	Yes
12/29/2011	1:54 P.M.	Daly Engineering Consultants 1101 Miranda Lane, Ste. 125 Kissimmee, FL 34741	Unmarked	Yes

**REQUEST FOR QUALIFICATIONS - PROFESSIONAL ENGINEERING SERVICES
RANKING**

RANKING 1 THROUGH 5 1 IS THE LOWEST SCORE WITH 5 THE HIGHEST	BESH	BOYER- SINGLETON	FEG	WEAVER BOOS
1. Verification of availability of qualified personnel				
2. Past records of performance and reputation				
3. Location of the firm				
4. Recent, current and projected workloads of the firms				
5. Whether the firm is a certified minority business enterprise				
6. Willingness to meet time and budget requirements				
7. Experience and depth of variety in various engineering disciplines				
8. The volume of work previously awarded to the firms by the City				
9. Experience in the State of Florida				
10. Interviews with and input from references				
11. Fee schedule (compare with budget)				
TOTAL				



VIA E-MAIL & US MAIL
neeks@edgewood-fl.gov)

January 17, 2012

Office of the City Clerk
CITY OF EDGEWOOD
405 Larue Avenue
Edgewood, Florida 32809

RE: **CITY OF EDGEWOOD-REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL
ENGINEERING SERVICES-FEE SUBMITTAL**

Dear Selection Committee:

We are pleased to submit for your consideration **Booth, Ern, Straughan & Hiott, Inc's. (BESH)**, Hourly Rate Schedule as requested by your January 11, 2012 email.

Attached please find **BESH's** Hourly Rate Schedule for Engineering and Surveying services, along with our fee schedule for printing, copying and Other Services.

Rates for professional services for tasks we would subcontract such as aerial photogrammetry, soil investigation, field tests, etc., would be determined on a project by project basis, as it relates to a specific project assigned by the City. The same would apply to travel time. For specific projects assigned by the City, travel time would be included; for hourly projects it would be in accordance with the attached rate schedule, or negotiated.

We welcome an opportunity to answer any questions with regards to the information contained herein. Please do not hesitate to call (352) 343-8481.

Sincerely,
BOOTH, ERN, STRAUGHAN & HIOTT, INC.

Robert A. Ern, Jr., P.E.
Principal/Vice President
rerne@besandh.com

ENGINEERS ♦ SURVEYORS ♦ LAND PLANNERS
350 North Sinclair Avenue ♦ Tavares, Florida 32778
Phone: 352.343.8481 ♦ Fax: 352.343.8495
E-Mail: Info@besandh.com ♦ www.besandh.com

**HOURLY RATE SCHEDULE
(2012)**

Professional Services shall be charged at the following rate schedule:

ENGINEERING

PROFESSIONAL ENGINEER (PRINCIPAL)	\$145.00/HOUR
PROFESSIONAL ENGINEER	\$130.00/HOUR
PROJECT ENGINEER	\$110.00/HOUR
ENGINEER TECHNICIAN I	\$95.00/HOUR
ENGINEER TECHNICIAN II	\$75.00/HOUR
SENIOR PLANNER - AICP	\$110.00/HOUR
PLANNING TECHNICIAN	\$75.00/HOUR
CONSTRUCTION ENGINEER	\$85.00/HOUR
EXPERT TESTIMONY PROFESSIONAL ENGINEER	\$300.00/HOUR

SURVEYING

PROFESSIONAL SURVEYOR (PRINCIPAL)	\$145.00/HOUR
PROFESSIONAL SURVEYOR	\$85.00/HOUR
3 MAN FIELD CREW	\$100.00/HOUR
2 MAN FIELD CREW	\$85.00/HOUR
CREW UTILIZING GLOBAL POSITIONING SYSTEM	\$110.00/HOUR
SURVEY TECHNICIAN I	\$75.00/HOUR
SURVEY TECHNICIAN II	\$50.00/HOUR
SURVEY TECHNICIAN III	\$30.00/HOUR
TITLE RESEARCHER	\$85.00/HOUR
EXPERT TESTIMONY PROFESSIONAL SURVEYOR	\$300.00/HOUR

All printing for this project shall be billed out at the following rate schedule, plus sales tax:
(Outside Copying Services will be billed at cost)

Engineering Bond Copies

Black & White

11 x 17.....	\$1.25
24 x 36.....	\$2.50

Color Copies

11 x 17.....	\$2.00
24 x 36.....	\$6.00

Black & White Copies

8 ½ x 11.....	\$0.10
8 ½ x 14.....	\$0.15
11 x 17.....	\$0.20

Color Copies

8 ½ x 11.....	\$1.20
8 ½ x 14.....	\$1.45
11 x 17.....	\$1.70

Other Printing Services

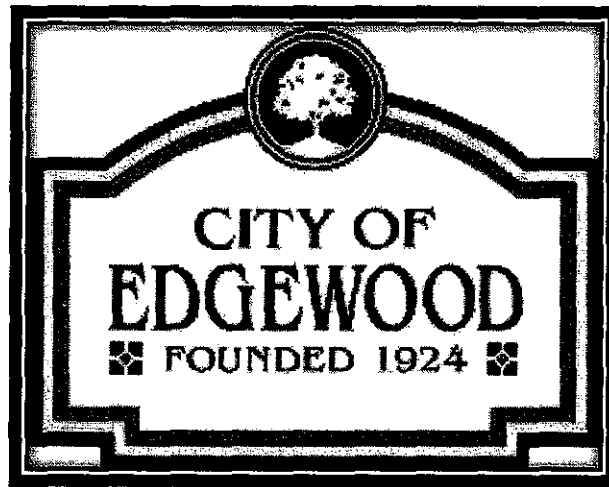
24 x 36 Vellum.....	\$9.00
24 x 36 Mylar.....	\$12.00
24 x 36 Photo Paper, Color.....	\$36.00
24 x 36 Foam Board.....	\$20.00

Other Services

Fax.....	\$1.00/Copy
Postage (Fed-Ex, Certified Mail, Etc)....	@ cost
Concrete Monuments.....	\$10.00
Rebar.....	\$2.00
Mileage (T/M Projects Only).....	\$0.59

Statement of Qualifications

Prepared for:
The City of Edgewood



350 North Sinclair Avenue
Tavares, FL 32778
(352) 343-8481
www.besandh.com



Introduction

Booth, Ern, Straughan & Hiott, Inc. (BESH) was formed by Duane K. Booth, P.E., Robert A. Ern, Jr., P.E., James M. Straughan, P.S.M., and Charles C. Hiott, P.E. in July, 2006 with the purchase of the Tavares operation of longtime Lake County engineering and surveying firm Farner, Barley & Associates, Inc. Mr. Booth and Mr. Ern had managed the Tavares office of FBA since 2001, building staff from 21 employees to 63 employees during their 5 year tenure prior to making the decision to purchase the business. Having worked together with Mr. Straughan and Mr. Hiott since 1993 and 1998, respectively, the partnership and purchase was a natural fit, and BESH was born in 2006. The Partners have provided a comprehensive range of Engineering, Land Surveying and Land Planning services to public and private clients throughout their professional careers. Eighteen years of local knowledge and the broad backgrounds of the Partners, paired with the professionalism of our staff allows us to fine-tune our services to meet our Clients individual needs from project conceptualization through construction completion. The professionals of BESH maintain a thorough working knowledge of State and Local regulations and permitting procedures. BESH is also proud to be the first Lake County firm to become FDOT certified in Engineering and Surveying. A sampling of the services BESH provides to our Clients includes:

Engineering Design and Permitting

- Continuing Municipal and County Engineering Services
- Residential and Commercial Property Site Planning and Design
- Roadway and Highway Horizontal and Vertical Design
- Stormwater Management System Design
- Water Supply, Storage, Treatment and Distribution System Design
- Wastewater Collection, Transmission, Treatment and Disposal System Design
- Cost Estimating
- Construction Engineering and Inspections

Land Surveying

- Boundary and Topographic Surveys
- Right-of-Way and Route Surveys
- Sectional Restoration
- Construction Layout
- Horizontal and Vertical Control Surveys

Land Planning

- Rezoning
- Comprehensive Land Use Amendments
- Developers Agreements
- Annexations

Principals of the Firm

Duane K. Booth, P.E.
President/Principal



Education:

B.S. in Civil Engineering, University of Central Florida – 1987

Professional Registrations:

FL #44631, GA #32135, SC #26215, TN #111447,
FDEP Stormwater Inspector #7937, FDOT Work Groups 3.1, 3.2,
and 7.1

Robert A. Ern, Jr., P.E.
Vice-President/Principal



Education:

B.S. in Civil Engineering, University of Central Florida – 1994

Professional Registrations:

FL #54013, AL #28365, GA #033701

J. Michael Straughan, P.S.M.
Secretary/Principal



Education:

Major in Law, Miami-Dade College – 1971 to 1973

Professional Registrations:

FL #5309, AL #9431-S, FDOT Work Groups 8.1, 8.2, and 8.4

Charles C. Hiott, P.E.
Treasurer/Principal



Education: B.S. in Civil Engineering, University of Clemson, 1993

Professional Registrations: FL #54813, NC #34011, SC #26265,
FDOT Work Groups 3.1, 3.2, and 7.1

Roadway Projects



Main Street Downtown Streetscape
Tavares, FL

Sunset Avenue Widening Project

BESH is the Engineer of Record for the design of 1.2 miles of roadway widening, repair and resurfacing on this Lake County Impact Fee Funded project. Although funded by Lake County Impact Fees, the project lies within the City of Mascotte and was managed by the City. The project consists of milling, widening and resurfacing of Sunset Avenue from CR 33 south crossing SR 50 to Palmetto Street. The scope of work included utility coordination and adjustment, stormwater and drainage improvements, and addition of sidewalks and pedestrian crossings for safer access to the new Elementary School.

Construction Cost: \$1,066,560.00
(estimated)

Completion Date: 2012

Client: City of Mascotte

Client Contact: Marge Strausbaugh
City Manager

Client Email Address:
Marge.Strausbaugh@cityofmascotte.com

Client Phone Number: (352) 429-3341

PROJECT TEAM

BESH – Prime Consultant

Duane K. Booth, P.E. – Project Manager &
Engineer of Record

Mike Straughan, P.S.M., Project Surveyor
Scott Harp, Senior Designer

ANDREYEV ENGINEERING, INC.

Geotechnical Investigation

Main Street Downtown Streetscape, City of Tavares

The scope of work included final design, preparation of construction plans, permitting and construction management for a complete renovation of Main Street in downtown Tavares, the County Seat of Lake County, Florida. The design included milling and paving of the roadway with a geotechnical underlayment (necessary due to poor subgrade), landscaped islands, brick paver crosswalks and sidewalks, new landscaping and irrigation systems, raised planters, and complete electrical systems for lighting of the entire roadway. The traffic pattern was also altered so as to provide traffic calming for a "walkable" community, safer for drivers and pedestrians alike.

Construction Cost: \$2,600,000.00

Completion Date: 2007

Client Contact:: John Drury
City Administrator

Client Phone Number: (352) 742-6210

PROJECT TEAM

BESH

Robert A. Ern, Jr. P.E. - Engineer of Record
Troy Mitchell, P.E., Project Engineer
Mike Straughan, P.S.M., Project Surveyor
Christopher B. Williams, Senior Designer

ANDREYEV ENGINEERING, INC.
Geotechnical Investigation

MICHAEL PAPE & ASSOCIATES
Landscape Architect



SR 19/CR 450 East Intersection Improvements

BESH was the Engineer of Record for preparing intersection modification plans in accordance with FDOT and Lake County Standards. Intersection improvements included the design of a north bound right turn lane on SR19, concrete median separator on CR 450 East, curb radius improvements, modification of Hatfield Drive at CR 450 East to create right turn only movement north and south bound, extension of south bound left turn lane on SR19 and a new intersection at the entrance to First Baptist Church crossing Hatfield Drive and connecting to SR19 with left and right turn lanes and a north bound right turn lane on SR19. This project was a FDOT LAP funded project located in Umatilla, FL.

Construction Cost: \$625,000.00
(estimated)

Completion Date: 2012

Client: Lake County & FDOT

Contact: Jim Stivender
Public Works Director

Email Address: JStivender@lakecountyfl.gov

Phone Number: (352) 483-9000

PROJECT TEAM

BESH - Prime Consultant

Duane K. Booth, P.E. -Project Manager &
Engineer of Record

Brad Bublitz, E.I., Project Engineer

Mike Straughan, PSM, Project Surveyor

Scott Harp, Senior Designer

Travis Skinner, Survey Tech

ANDREYEV ENGINEERING, INC.

Geotechnical Investigation

GMB ENGINEERS & PLANNERS, INC.

Signal Design

Highland Street Corridor Enhancement & Streetscape

The scope of work included engineering design, landscape architecture, irrigation, streetscaping and project bidding and construction management services for the Highland Street Streetscape. This project is a joint City of Mount Dora/Lake County project on a County roadway running through the City, making it similar in nature to the Alfred Street project. This project is located on Highland Street, between 5th Avenue and the Lake County/Orange County line. Design included obtaining approval from both the City of Mount Dora, as well as Lake County Public Works. Project bidding assistance included preparation of construction contract bid documents and preparation of final bid evaluations with recommendations to the City. BESH's responsibility also included preparation of final contract documents between the City and Contractor, as well as construction oversight. Phase II has been designed and is awaiting funding as an FDOT LAP funded enhancement project.

Construction Cost: Phase I - \$450,000.00
(completed)
Phase II - \$900,000.00
(estimated)

Completion Date: Phase I - 2011
Phase II - 2013

Client Contact: Gus Gianikas
City of Mount Dora

Client Phone Number: (352) 735-7151

PROJECT TEAM

BESH - Prime Consultant

Robert A. Ern, Jr., P.E. - Engineer of Record
Charles C. Hiott, Project Engineer
Christopher B. Williams, Senior Designer

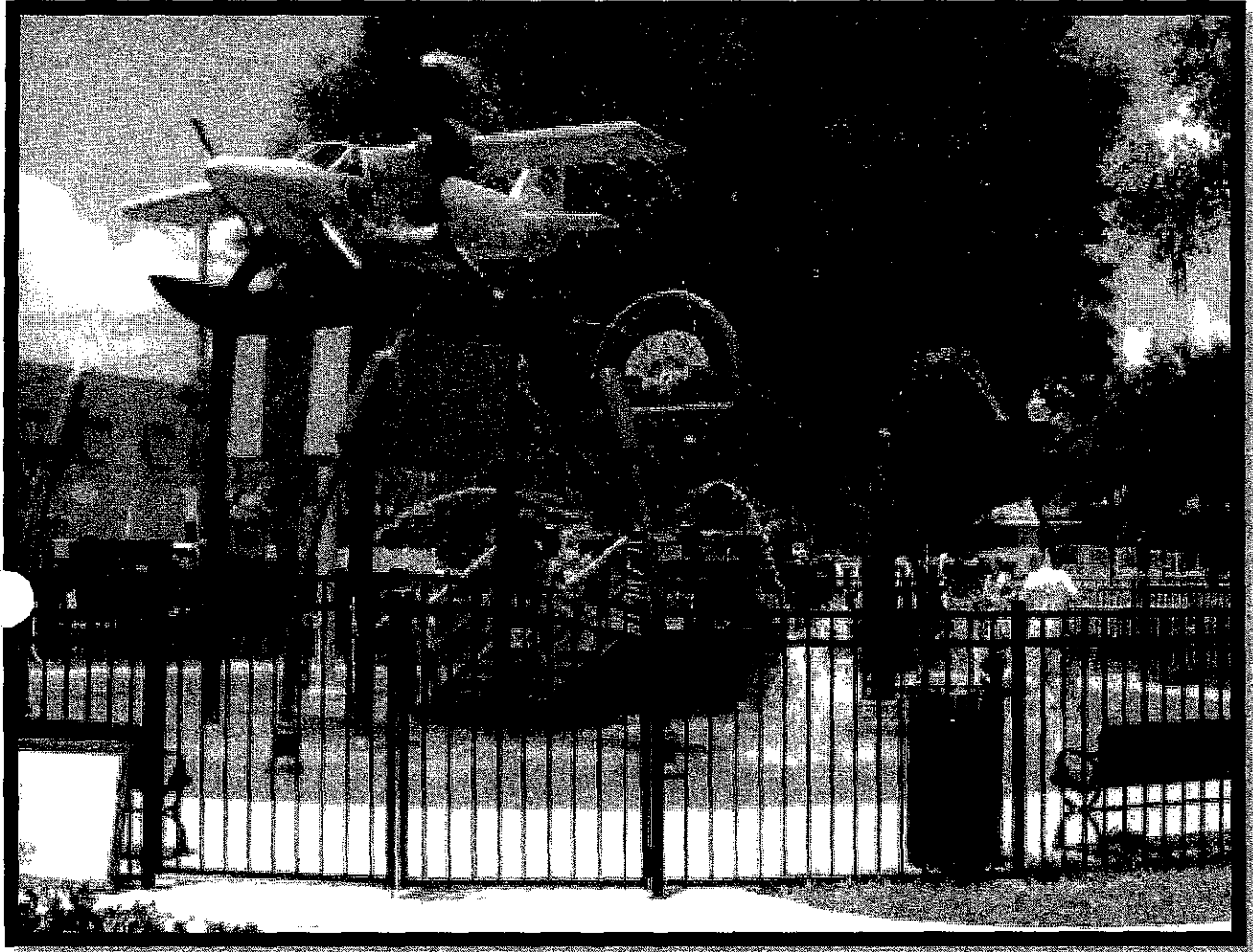
MICHAEL PAPE & ASSOCIATES, P.A.

Landscape Architect

ELECTRIC SERVICES, INC.

Electrical Subconsultant

Park Projects



Splash Park
Tavares, FL

Wooton Park Marina & Multi-Modal Downtown Redevelopment Project

BESH was selected to provide surveying, engineering design and project management services for the Wooton Park Marina & Multi-Modal Downtown Redevelopment Project. The project includes the following major components: children's splash playground, 84 slip marina, boat and seaplane mooring and fueling facilities, ship's store for fuel and marine supply sales, railroad passenger platform, major electrical redesign to accommodate large festivals, water system improvements, new boat/seaplane launching ramp and boat trailer parking. The second Phase consisting of a 2-story 1,500 square foot pavilion accessed by a 40 foot wide by 150 feet long concrete pier is currently under design. BESH is providing design, project management and oversight, bidding assistance, lobbying oversight, and construction oversight of the entire project.

Estimated Construction Cost: \$10,300,000.00
(estimated)

Construction Completion: Ongoing

Client Contact: John Drury
City Administrator
Tavares, FL

Client Phone Number: (352) 742-6210

PROJECT TEAM

BESH

Robert A. Ern, Jr. P.E. – Engineer of Record
J. Michael Straughan, P.S.M.
Brad D. Bubnitz, E.I.
Christopher B. Williams

BAILEY ENGINEERING CONSULTANTS, INC.

Electrical Design Subconsultant

ANDREYEV ENGINEERING, INC.

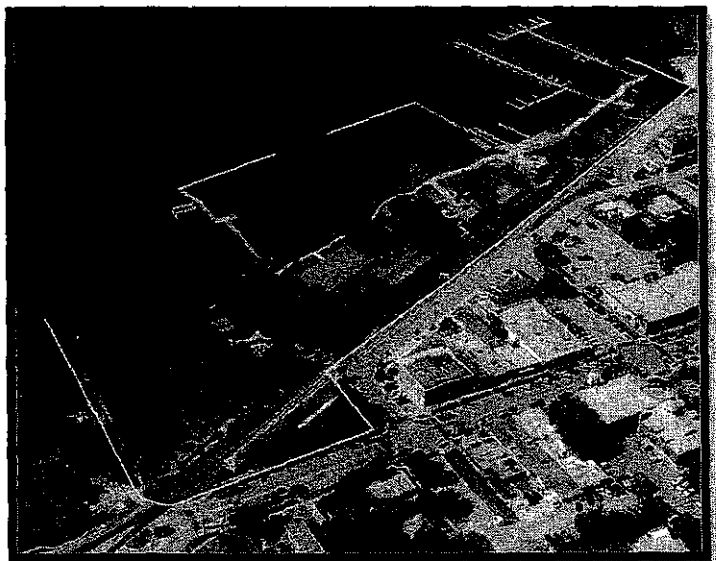
Geotechnical / Hydrogeologic Subconsultant

BLAISE, FIEBACH & ASSOCIATES

Architectural Subconsultant

MICHAEL PAPE & ASSOCIATES

Landscape Architect



Tavares Splash Park

BESH was selected to provide surveying, engineering design and construction management services to the City of Tavares for a splash playground. The Tavares splash park is a part of the larger Wooton Park project, also designed by BESH during the City of Tavares downtown redevelopment. The splash park consists of a 50' diameter pad, coated with a non-slip Tuff-Coat, multi-colored concrete coating, providing both a non-slip surface and character to the park. The splash park features were custom designed, in partnership with the equipment manufacturer, Rain-Drop Products, to thematically match the City's vision. The centerpiece of the splash park is a seaplane, complete with propellers which spin with water, misting valves on the pontoons and a rain curtain off the back side of the wings. The treatment equipment was state-of-the-art, and includes Ultraviolet disinfection of the recirculating water. All equipment is housed in a custom designed and constructed gazebo to thematically match other structures in the park. The Tavares splash park was the recipient of the 2011 Dream Designs Award from Aquatics International!

Estimated Construction Cost: \$290,000.00

Construction Completion: Ongoing

Client Contact: John Drury
City Administrator
Tavares, FL

Client Phone Number: (352) 742-6210

PROJECT TEAM

BESH

Robert A. Ern, Jr. P.E. – Engineer of Record

J. Michael Straughan, P.S.M.

Brad D. Bublitz, E.I.

Christopher B. Williams

BAILEY ENGINEERING CONSULTANTS, INC.

Electrical Design Subconsultant

ANDREYEV ENGINEERING, INC.

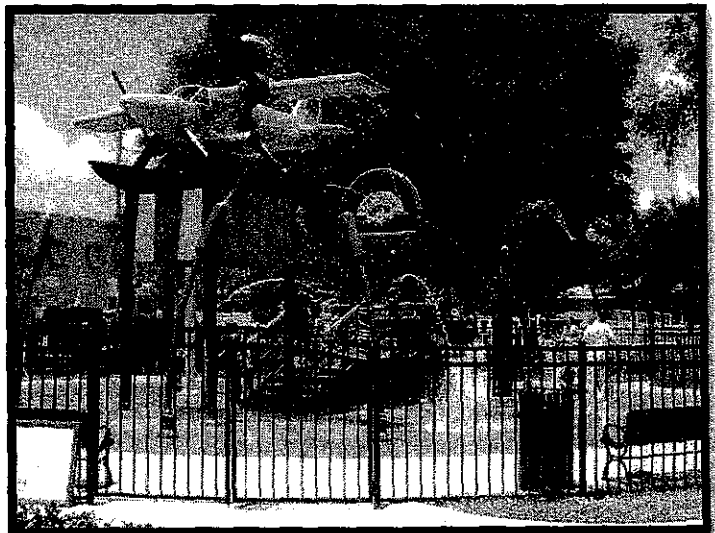
Geotechnical / Hydrogeologic Subconsultant

BLAISE, FIEBACH & ASSOCIATES

Architectural Subconsultant

MICHAEL PAPE & ASSOCIATES

Landscape Architect



West Park Sports Complex

West Park was an existing Clermont Park with one softball field and a run down baseball field. With the need growing for little league fields, the City decided to completely renovate this park and construct two official little league baseball fields with under drain system to quickly dry the fields after rain events, a practice field, paved and grassed parking, batting cages, new musco lighting system, and a concession stand with bathrooms and equipment storage. BESH was hired to design, permit and oversee construction of this park with the added pressure of having grass down in early fall to have the fields ready to play in the spring. This project was completed on time, within budget and kids enjoyed playing ball in the Spring of 2011.

Construction Cost: \$389,000.00
Completion Date: 2011
Client: City of Clermont
Contact: David Teske
Recreation Manager
Phone: (352) 241-7352

PROJECT TEAM

BESH - Prime Consultant

Duane K. Booth, P.E. - Project Manager &
Engineer of Record
Scott Harp, Senior Designer

ANDREYEV ENGINEERING, INC.

Geotechnical Investigation

GATOR SKTCH

Architecture



Stormwater Projects

City of Clermont - Drainage - Chestnut Street, Pine Lane, West Avenue, and Sunnyside Drive

BESH was responsible for providing engineering and surveying services to repair local roads and eliminate local flooding problems. For Chestnut Street, West Avenue, and Sunnyside Drive, it was necessary to modify existing stormwater systems to maximize treatment. Survey services included record survey, topography and utilities.

Estimated Cost of Project: \$44,000.00 Contact Person: Tamara Richardson, PE
City Engineer

City of Clermont - Lake Minihaha & Lake Winona Stormwater Study

BESH was contracted to identify and evaluate all existing stormwater discharges into Lake Minihaha and Lake Winona, both part of the Clermont Chain of Lakes, and designated as Outstanding Florida Waters. BESH identified, photographed and cataloged all existing untreated stormwater discharges within the Clermont corporate boundaries. Once all discharge points had been identified, recommendations and cost estimates for providing treatment of said discharges were compiled. The Studies were partially funded through a grant.

Estimated Cost of Project: \$18,480.00 Contact Person: Tamara Richardson, PE
City Engineer

City of Clermont - Center Lake Stormwater Improvements

BESH was responsible for surveying and engineering services to eliminate direct discharge of stormwater to Center Lake, eliminate flooding of local streets, and provide the maximum amount of stormwater treatment. Project included survey, design, permitting, bidding, construction inspection, review of shop drawings, review pay requests, and certifications of completion. BESH was also responsible to ensure that the project was completed in accordance with a grant from the Lake County Water Authority.

Estimated Cost of Project: \$44,500.00 Contact Person: Tamara Richardson, PE
City Engineer

Continuing Services Contracts

Booth, Ern, Straughan & Hiott, Inc. (BESH), holds continuing service contracts with the following governmental entities:

Lake County School Board

- ✓ On-Call Engineering Services
- ✓ On-Call Surveying Services

Lake County Board of County Commissioners

- ✓ On-Call General Engineering Services
- ✓ On-Call Surveying Services
- ✓ On-Call Stormwater Engineering Services

Lake County Water Authority

- ✓ General Engineering Services

City of Umatilla

- ✓ Utility Engineering Services

City of Fruitland Park

- ✓ Engineering & Surveying Services

City of Mount Dora

- ✓ Engineering & Surveying Services

City of Tavares

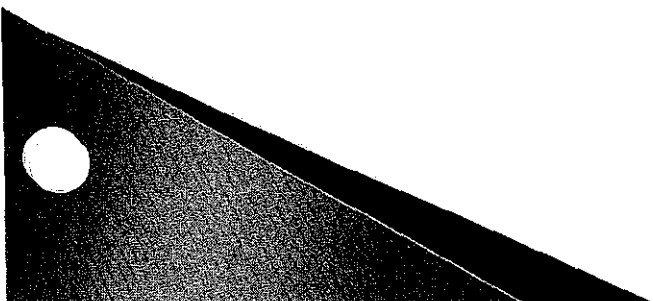
- ✓ Engineering & Surveying Services

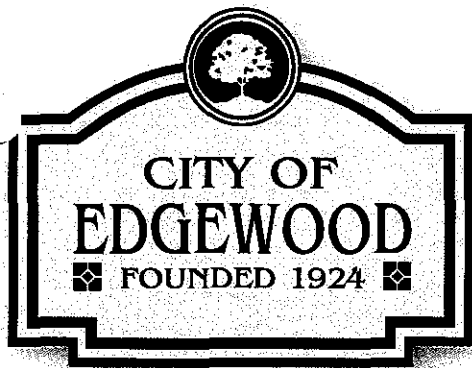
City of Clermont

- ✓ On-Call Stormwater & Utilities

City of Eustis

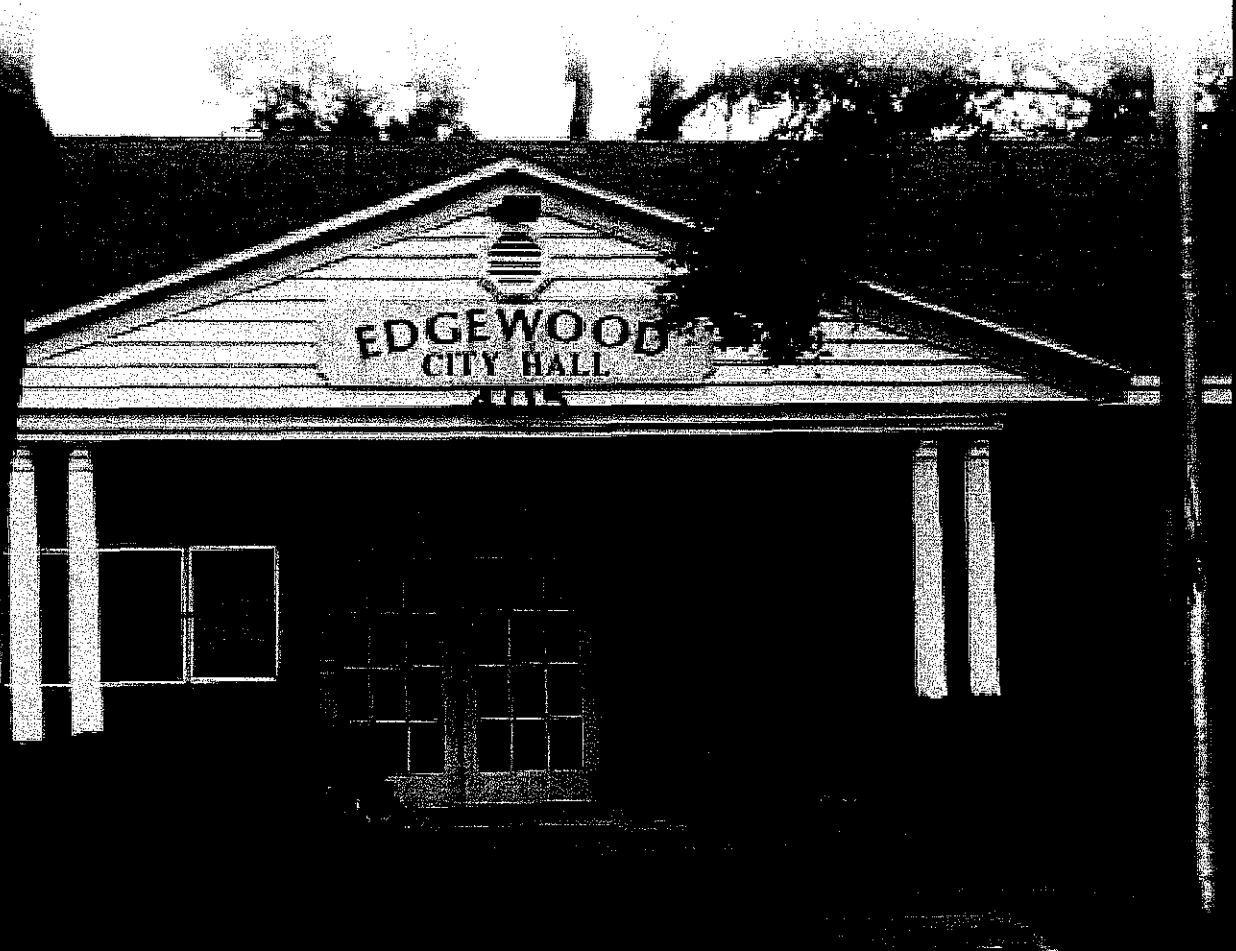
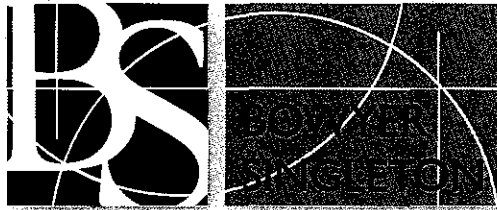
- ✓ Survey Services





Professional Engineering Services

City of Edgewood, Florida



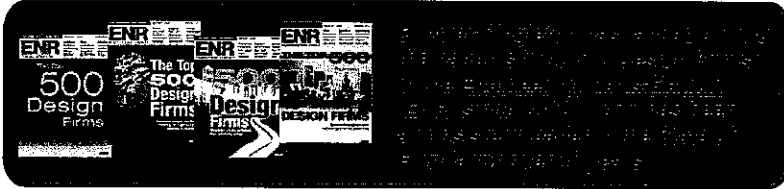
Bowyer-Singleton

- Florida Firm
- ENR "Top 500 Design Firm"
- Established in 1972
- Over 90 Employees
- Full Service Firm
- 6 Office Locations



Bowyer-Singleton's Orlando Office:

- 4.4 Miles from City of Edgewood
- 12 Minute Drive



Engineering Services

CIVIL ENGINEERING

- Civil Site Facilities Design & Engineering
- Community / Neighborhood Park
- Design
- Construction Management
- Development Review & Approval
- Geographic Information Systems (GIS)
- Master Utilities Studies & Analysis

PLANNING & LANDSCAPE ARCHITECTURE

- Landscape Architecture
- Master Planning
- Zoning and Land Use Amendments

TRANSPORTATION

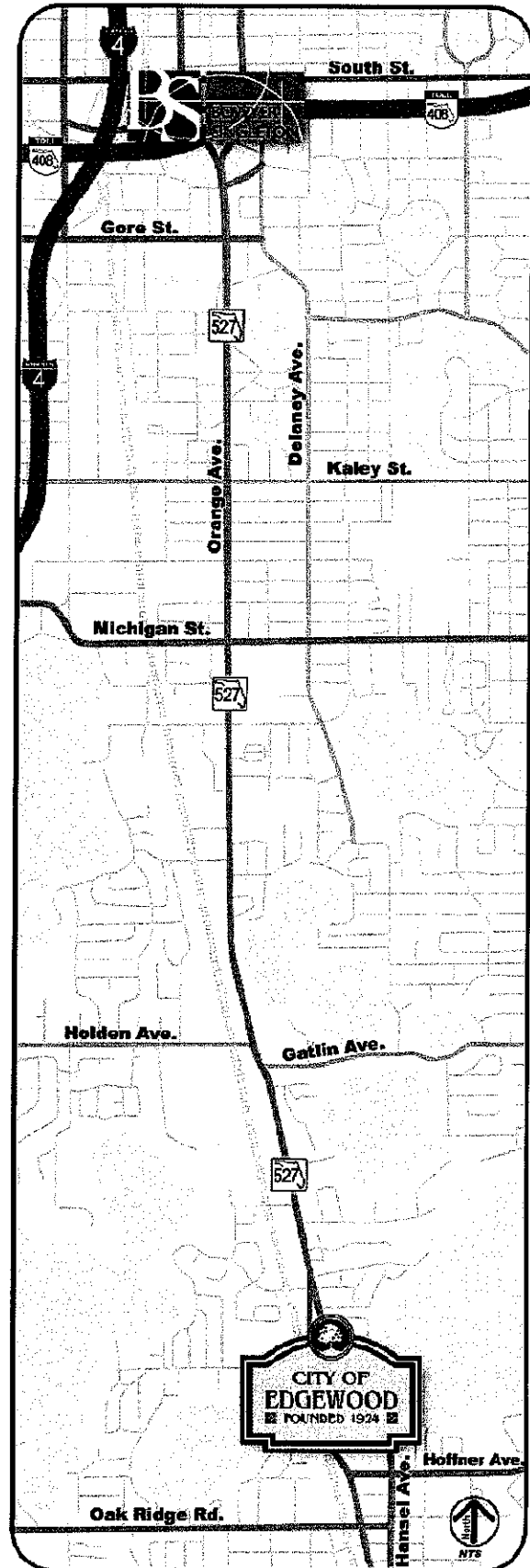
- PD&E Studies
- Roadway Design:
 - Intersection Design
 - Roadway Construction Engineering Inspection
 - Streetscape Plans
 - Maintenance of Traffic Plans
 - Sidewalk Design
 - Multi-Use Trails
- Drainage Design
- Structural Design
- Traffic Engineering
 - Capacity Analysis
 - Intersection Design
 - Signal Coordination Timing Plans
 - Signalization Design
 - Signing & Pavement Marking Design
 - Traffic Operations Studies
 - Traffic Safety Studies
 - Traffic Signal Retiming
 - Work Zone Traffic Control Design

SURVEYING

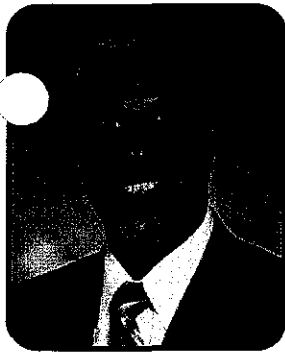
- Field Work:
 - 3-D Laser Scanning
 - Hydrographic Surveys
 - ALTA / ACSM Land Title Surveys
 - Legal Description Preparation
 - Boundary Surveys
 - Construction & As-Built Surveys
 - Right-of-Way Surveying & Mapping
 - Subsurface Utility Engineering (SUE)
 - Topographic Surveys
 - GPS / Horizontal Control Networks
 - Ground Penetrating Radar (GPR)
 - Plat Reviews

ENVIRONMENTAL

- Wetland Sciences:
 - Jurisdictional Wetland Delineation
- Mitigation
- Wildlife Sciences
- Environmental Permits:
 - Environmental Resource (ERP)
 - Listed Species
 - Section 404 Dredge & Fill (USACOE)
 - Sovereign Submerged Land Authorizations
- Other Permits:
 - FDEP Sewer & Water
 - FDOT Drainage, Driveway & Utility
 - NPDES Compliance
 - Regulatory Compliance Analysis

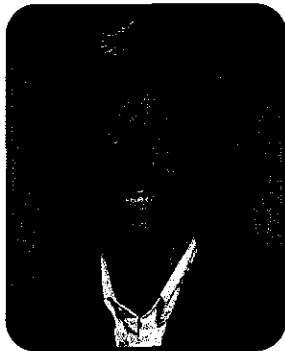


Project Management



Rey Malavé, P.E. - Project Manager

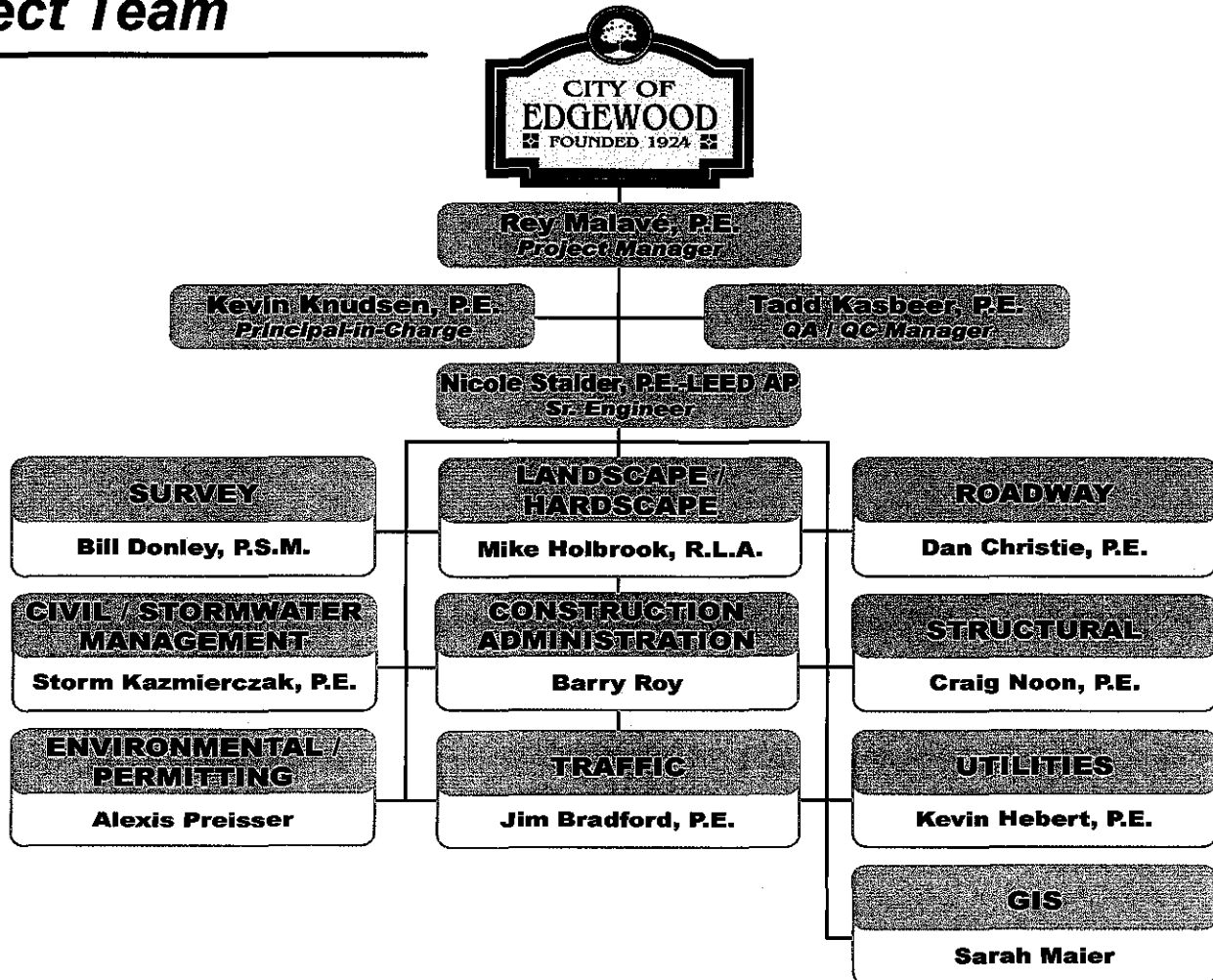
- Over 30 Years Experience in Civil Engineering Design, for Public and Private Sectors and Management of Small and Large Projects
- Diversified Background in the Design and Permitting of Infrastructure Systems
- Areas of Expertise Include: Coordination and Design of Numerous Parks and Recreational Facilities with Many City and Private Developments, Stormwater Management Systems, Civil Site Work, Roadways and Utilities
- Experience in Managing Construction Administration Efforts for Large Developments, as well as for Cities, Counties and Community Development Districts
- Extensive Experience on Continuing Service Contracts



Nicole Stalder, P.E., LEED-AP - Senior Engineer

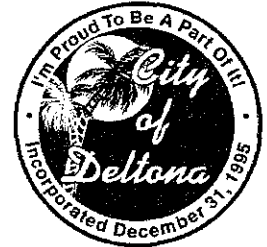
- Over 10 Years of Varied Experience in the Design of Stormwater Management and Collection Systems, Civil Site Design and Grading, as well as the Permitting of these Systems throughout the Three Central Florida Water Management Districts
- Well Versed in all Civil Site Design, as well as Water Distribution and Sewer Collection/Transmission Systems, Public and Private Design, and Project Reviews for Public Agencies
- Proven Track Record for Meeting Budgets and Schedules on Complex and Short Time-Frame Design Projects
- Known for Her Ability to Quickly Adapt to Changing Schedules, Design Parameters and Client Needs
- Extensive Experience on Continuing Service Contracts

Project Team



City of Deltona Various Roadway Projects

- The City of Deltona project includes developing the 5-year Transportation Capital Improvement Program, performing the Preliminary Engineering Studies and then preparing final design plans for nine separate roadway improvement projects.



- The existing roadway network, located within heavily residential areas with numerous driveway connections and side streets, is failing and the roadway improvements are necessary to reconstruct the inadequate pavement structure and widen the existing facilities to accommodate future traffic, safely and efficiently. Increased traffic volumes identified the need to add access management controls, provide additional turn lanes and provide adequate pedestrian and bicycle facilities.
- Included in the projects is the permitting and design of 40 stormwater retention ponds for the roadways and surrounding residential areas. The roadways have a history of significant flooding and the stormwater conveyance and retention ponds were designed to alleviate both future roadway and residential flooding.

- Bowyer-Singleton's services included:

- Bid Packages
- Conceptual Design
- Cost Analysis
- Design Surveys
- Drainage Design
- Environmental Analysis
- Final Construction Plans & Specifications
- Intersection Design
- Legal Descriptions
- Maintenance of Traffic
- PD&E Studies
- Permitting
- Pond Siting Reports
- Preliminary Engineering Studies
- Public Involvement
- Right-of-Way Maps
- Right-of-Way Surveys
- Signalization
- Stormwater Management Design
- Structural Design
- Traffic Analysis
- Utility Surveys
- Utility Coordination



Mayer
Dennis Mulder

Commissioners:
Zenaida Denizac
District 1

David Santiago
District 2

Michele McFall
District 3

William S. Harvey
District 4

Janet Deyette
District 5

Michael Carmolingo
District 6

Acting City Manager
L. Roland Blossom

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- Introduction
- Typical Sections
- Contact Information



City of Deltona Proposed Roadway Capacity Improvement Projects

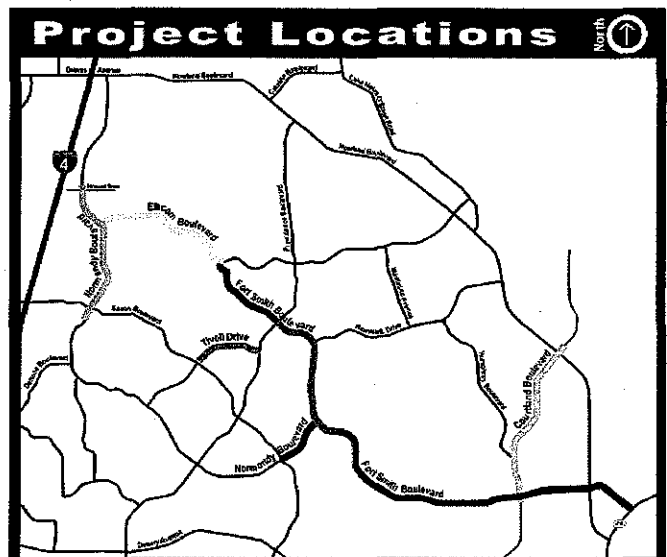
Improvements to: **Normandy Boulevard** **Elkcam Boulevard**
Courtland Boulevard **Tivoli Drive**
Fort Smith Boulevard

Introduction

The City of Deltona is performing Phase II Design for proposed roadway improvements to Normandy Boulevard, Courtland Boulevard, Elkcam Boulevard, Fort Smith Boulevard and Tivoli Drive. A description of the limits of each project is as follows:

City Project Number	Project Description	Project Limits	Length of Project
3303A	Normandy Boulevard (Section A)	Saxon Boulevard (West) to Firwood Drive	1.59
	Fort Smith Boulevard (Section 3)	Primrose Terrace to Rookery Avenue	2.90
	Fort Smith Boulevard (Section 2)	Providence Boulevard to Primrose Terrace	1.65
	Elkcam Boulevard	Normandy Boulevard to Fort Smith Boulevard	1.60
	Fort Smith Boulevard (Section 1)	Elkcam Boulevard to Providence Boulevard	1.00
	Fort Smith Boulevard (Section 4)	Rookery Avenue to SR 415	1.08
3304	Courtland Boulevard	Fort Smith Boulevard to Howland Boulevard	1.72
	Normandy Boulevard (Section B)	Fort Smith Boulevard to Saxon Boulevard (East)	0.53
3305	Tivoli Drive	Saxon Boulevard to Providence Boulevard	0.80

The proposed improvements are required to widen and reconstruct the failing two-lane paved roadways to accommodate future traffic safely and efficiently. Improvements to Normandy Boulevard will also improve access to the proposed Interstate 4 / State Road 472 Activity Center. Additionally, improvements to Courtland Boulevard and sections of Fort Smith Boulevard will provide safe and efficient emergency evacuation routes. The proposed improvements consist of widening Normandy Boulevard (Section A) to a four-lane divided roadway throughout the project limits. Courtland Boulevard, Elkcam Boulevard, Fort Smith Boulevard, Normandy Boulevard (Section B) and Tivoli Drive are proposed to be widened to three-lane roadways throughout the project limits.

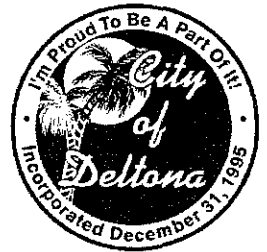
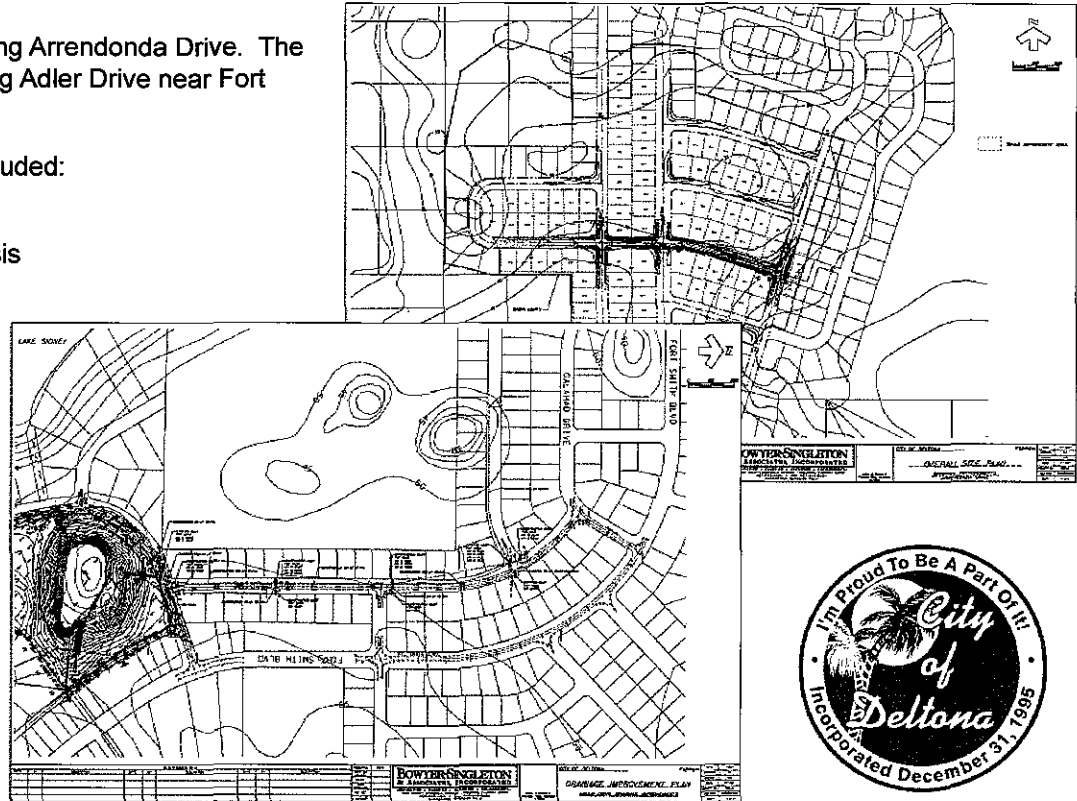


Drainage Improvement Studies & Design - City of Deltona

- Prepared a Drainage Study for Two Neighborhoods that were Experiencing Flooding Problems During Periods of Prolonged Rainfall
- The first project was located along Arrendonda Drive. The second project was located along Adler Drive near Fort Smith Boulevard.

- Bowyer-Singleton's services included:

- Field Reviews
- Preliminary Drainage Analysis
- Topographic Survey
- Final Drainage Study
- Preparation of Drainage Improvement Plans
- Permitting and Approval of all Development and Construction Activities

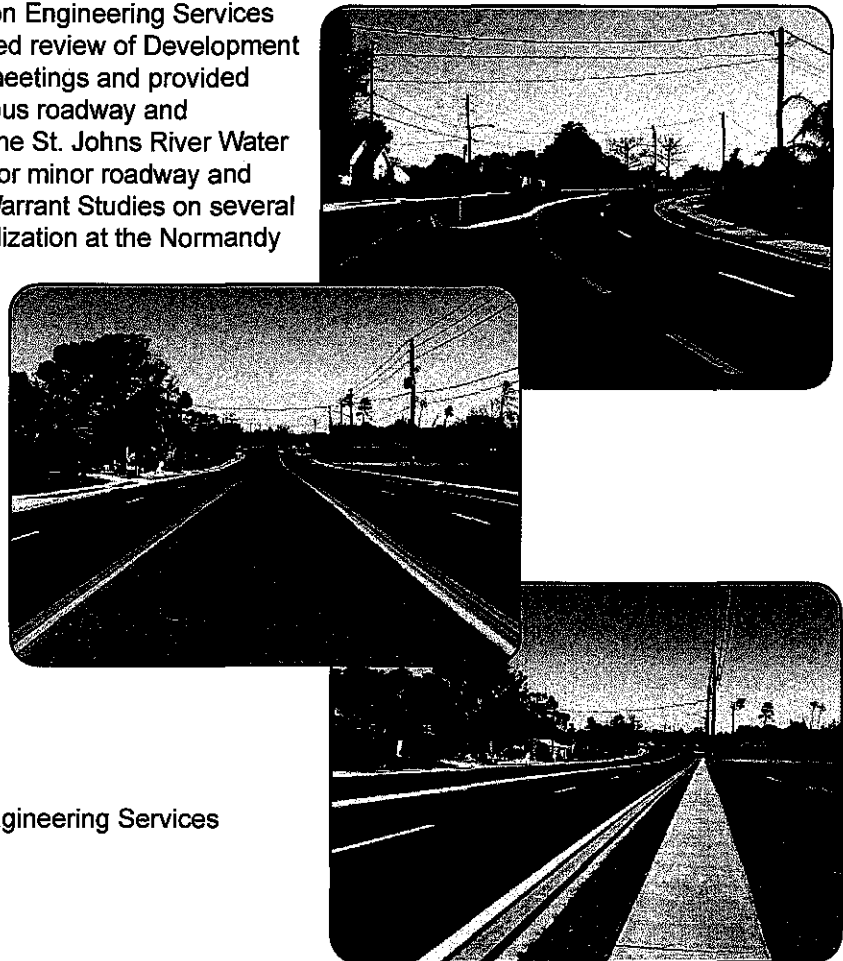


On-Call Transportation Engineering Services (RFQ 0634) - City of Deltona

- This project involved providing On-Call Transportation Engineering Services for projects throughout the City of Deltona. Performed review of Development Plans and provided reports to City. Attended DRC meetings and provided follow-up to DRC comments. Performed miscellaneous roadway and drainage studies including permit coordination with the St. Johns River Water Management District. Prepared construction plans for minor roadway and drainage improvements. Performed Traffic Signal Warrant Studies on several intersections. Prepared construction plans for signalization at the Normandy Boulevard / Ft. Smith Boulevard intersection. Provided MSTU support for street lighting for 11 separate streets and/or subdivisions. Also included miscellaneous roadway and traffic engineering services on an as-needed basis.

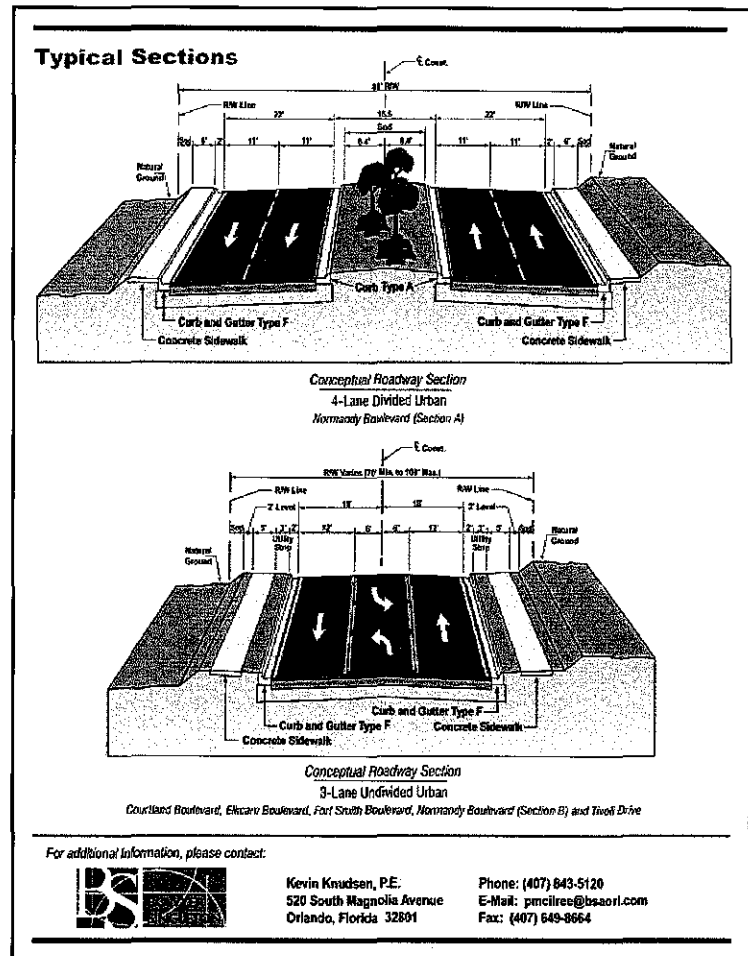
Bowyer-Singleton's services included transportation planning and traffic engineering services, including:

- Reviewed Traffic Studies
- Reviewed Traffic Impact Analysis
- Performed Development Plan Reviews
- Performed Traffic Signal Warrant Studies
- Prepared Traffic Signal Plans
- Provided MSTU Support for Street Lighting
- Provided Miscellaneous Roadway and Traffic Engineering Services



Continuing Engineering Services for City of Deltona

- The project included review of Traffic Impact Analyses, Access Management Plans and Site Plan Reviews for proposed commercial developments throughout the City of Deltona.
- Prepared the City's 5-Year (2006-2010) Transportation Capital Improvement Plan and developed the City's Long Range (2006-2020) Transportation Plan, including presenting to the proposed plans to the City Commission and bonding agencies.
- Performed transportation planning services to support update of the City's Comprehensive Plan, including update of the City's 2020 FSUTMS Model and calculating AADT's and LOS for City's major thoroughfares.
- Updated traffic model to identify AADT and LOS changes resulting from proposed annexations and future land use changes.
- Performed citywide annexation reviews of 10 parcels, including the Leffler Property.
- Provided MSTU support for street lighting for 14 separate streets and/or subdivisions.
- A Parking Generation Study was performed and the City's parking ordinance revised based on the study.
- Also included was miscellaneous roadway and traffic engineering services on an as-needed basis.

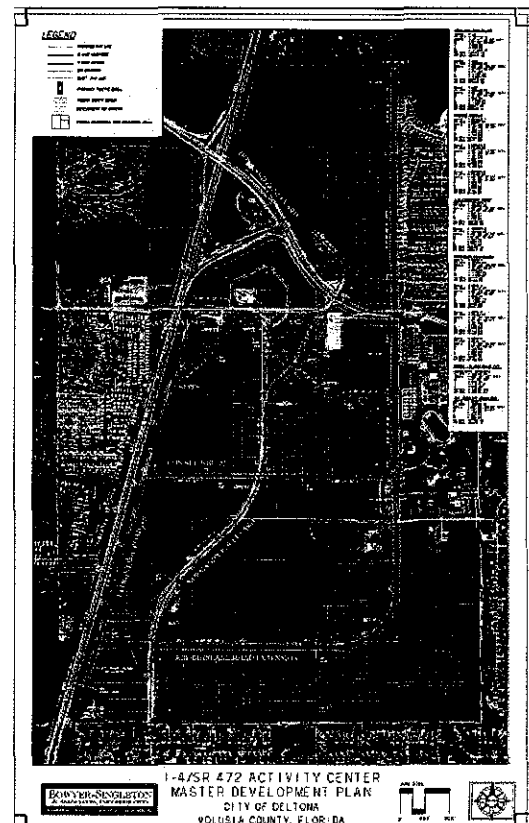


I-4 / SR 472 Activity Center Geometric Road Plan and Traffic Reevaluation City of Deltona

- This project involved professional surveying and engineering services to establish existing roadway corridors, provide new and revised alignments for the City of Deltona's 900-acre portion of the Activity Center Development of Regional Impact (DRI). The design criteria and standards for the future roadways was established along with preparation of preliminary cost estimates.

The City's traffic model was utilized to determine laneage requirements and level of service. Subsequently, a sub-area transportation planning model was developed for the Activity Center to analyze impacts of future development on the proposed roadway system. In addition, various typical sections, including concepts with on-street parking and bicycle facilities, were developed and appropriate right-of-way requirements identified.

- Bowyer-Singleton's services included:
 - Geometric Layout of Roadway Network
 - Traffic Planning Studies
 - Sub-Area Traffic Model
 - Roadway Typical Sections
 - Identify Right-of-Way Requirements
 - Development of Roadway Design Criteria and Standards
 - Bicycle and Pedestrian Studies
 - Cost Estimates
 - Coordination Acceptance of City Commission and Staff



Seminole County Continuing Services Agreement for Small Projects

Seminole County Administration Building

Drainage & Site Improvements

The Seminole County Administration Building was an existing facility on the south shore of Lake Monroe in downtown Sanford. The facility was being upgraded year by year. One of the concerns for the site was sufficient parking facilities. In the process of expanding its parking facilities, drainage concerns for the site were also reviewed and alternatives determined.



The drainage project consisted of the study of the existing drainage basin to determine the flood stage elevations and identify site drainage problems. This study required the design of an outfall system to minimize flooding along with the addition of a stormwater management pond system within the existing parking facility. The services required for this project involved the modeling of the drainage basin to insure that no impacts would occur to the existing street and parking, as well as the construction of a new series of stormwater ponds and outfall pipe. Bowyer-Singleton provided field surveying, hydrological analysis and modeling of the basin proposed parking lot expansion construction plans, outfall construction plans and environmental permitting, as well as coordination with the City of Sanford, and Seminole County.

The parking lot improvements provided for improved circulation through the existing facility with upgrades of landscaping islands, resurfacing and localized drainage improvements. An additional parking facility was also added in an effort to provide public parking.

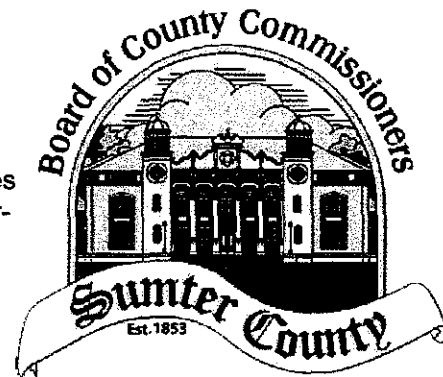
Bowyer-Singleton's services included:

- Final Construction Plans, including Site and Drainage Design
- Landscape and Irrigation Plans
- Pavement Markings
- Lighting Plans
- Utility Coordination
- Design Surveys
- Sketches
- Legal Descriptions
- Stormwater Permitting
- Engineering Cost Estimates
- Specifications and Bid Documents

Sumter County Continuing Services

Bowyer-Singleton is providing Continuing Engineering Services to Sumter County. The services provided range from studies to final design and preparation of construction plans. Bowyer-Singleton is also providing engineering support services including development and plans review.

A major assignment under this contract includes providing Development Review Services for the County's Division of Planning and Development. Under this assignment, Bowyer-Singleton reviews all development plans submitted through the County's development review process for site conditions and other engineering considerations favorable or unfavorable to development; for general layout, traffic circulation, drainage provisions and adherence to code requirements, and for good engineering design. We also conduct on-site inspections of development project improvements for conformance with approved engineering plans and specifications. Bowyer-Singleton reviews and submits all comments for revised preliminary and/or engineering plans to the Sumter County Development Review Coordinator and participates in developing or updating codes, policies, procedures, and forms related to the development process.



The reviews consist of developments within the Villages and various commercial, infrastructure facilities within the County.

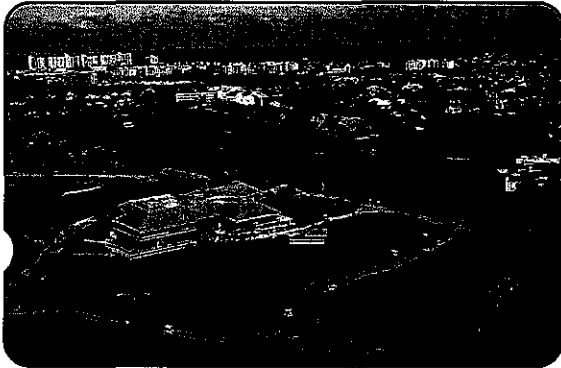
Bowyer-Singleton's services include:

- Final Construction Plans, including Site and Drainage Design
- Pavement Markings
- Utility Design
- Site Design
- Stormwater Permitting Review
- Land Use and Zoning Ordinance Review

Continuing Engineering Services - Town of Jupiter

- Bowyer-Singleton was selected by the Town of Jupiter to provide civil engineering services including:

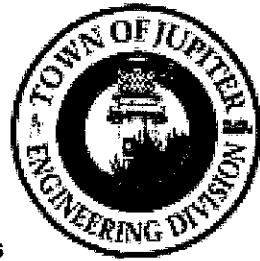
- Engineering Analysis
- Alternative Design
- Final Construction Documents
- Permitting
- Construction Services
- Surveying
- Final Close Out
- Project Types:
 - Roadway Widening
 - Drainage Improvements
 - City Park Planning and Design
 - Intersection Improvements
 - Minor Road Improvements



Sawfish Bay Park

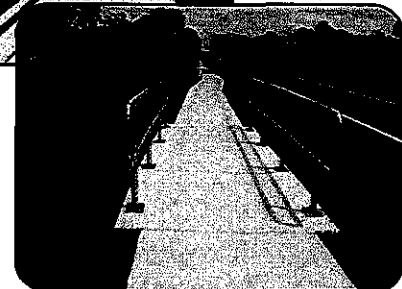
The Sawfish Bay Park project is located in the Town of Jupiter on US A1A, along the intercoastal waterway. The design of this 3-acre park including a parking lot, historical area, new vinyl seawall, facilities and a surface water management system.

- Site Planning & Layouts
- Clearing, Grubbing & Facilities Demolition
- Master Stormwater System
- Site Engineering
- Construction of parking area and roundabout
- Design of vinyl seawall, concrete boardwalk and handrail system
- Landscape/Hardscape Architecture
- Irrigation/Lighting Plans
- Design and installation plan for pavilions, gazebos and site furniture
- Environmental Permitting
- Construction Administration
- Drainage & Stormwater Management Design
- Lighting
- Traffic Analysis
- Bidding Assistance



Ocean Way Improvements

- The Ocean Way project is located in the Town of Jupiter between US1 and Alternate A1A. The project included roadway design for the widening of the existing roadway and the addition of bike lanes.
- Bowyer-Singleton's services included:
 - Surveys
 - Roadway Improvement Construction Plans and Specifications
 - Shop Drawing Review
 - Construction Inspection and Certifications
 - FDOT Right-of-Way and Drainage Permits
 - Permitting for National Pollutant Discharge Elimination System (NPDES)
 - Storm Water Permit Approvals



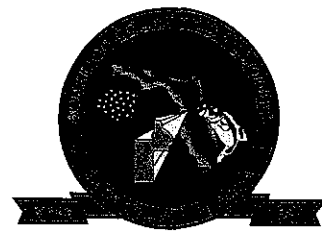
Maplewood Drive Bike Lane Project

- Bowyer-Singleton was selected to provide Control and Topographic Surveys to support the design of additional bike lanes to each side of the existing roadway, the addition of a walkway along the east side of the corridor and drainage improvements, from Toney Penna Drive to Pine Tree Trail, a total distance of approximately 1 mile.
- Bowyer-Singleton's services included:
 - Control Surveys
 - Topographic Surveys

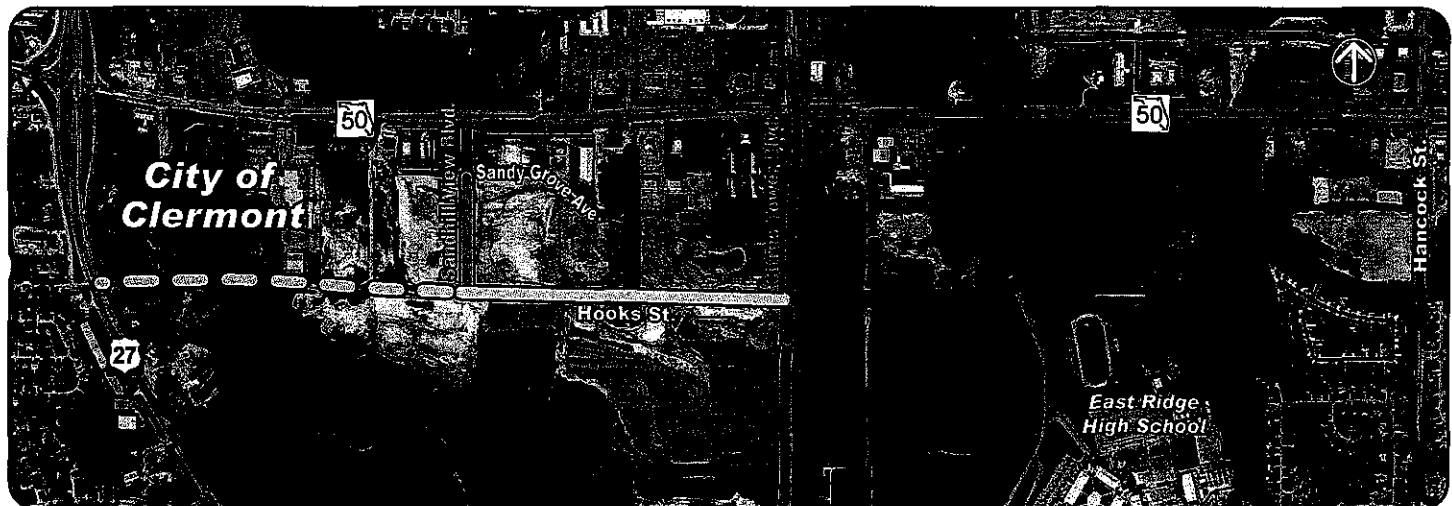


Lake County Roadways

Lake County selected Bowyer-Singleton to provide Preliminary Engineering and Final Design services for several transportation projects. These projects included extensive coordination with adjacent property owners, the City of Clermont and FDOT.



- **Hooks Street** - The Hooks Street project extended from Sandhill View Boulevard to Citrus Tower Boulevard, a distance of 0.5 mile. The four-lane divided urban roadway included bike lanes and sidewalks on both sides. The roadway included median openings, driveways and storm sewer accommodations for future development.
- **Hooks Street** - This new alignment roadway extended from Citrus Tower Boulevard to Hancock Road, a distance of 1.2 miles. The four-lane divided urban facility included bike lanes and sidewalks on both sides. Drainage was provided through a joint-use pond with East Ridge High School.
- **Sandhill View Boulevard** - The project extended from Hooks Street to Sandy Grove Avenue, a distance of 0.15 mile. This new alignment was a four-lane divided urban facility. The project included the design of a regional storm water retention pond to treat and attenuate runoff from the entire DeWitt site.
- **Oakley Seaver Road** - This new alignment roadway extended from Hooks Street to SR 50. The two-lane urban facility included the intersection with Sandy Grove Lane.
- **Citrus Tower Boulevard** - Citrus Tower Boulevard extends from Hooks Street to SR 50. The roadway was a four-lane divided urban facility with bike lanes and sidewalks. The project included signalization at the SR 50 intersection and turn lane improvement along SR 50. Permits were obtained for FDOT and realignment of Citrus Tower Boulevard north of SR 50 was required to align the roadways.



Lake County Water Authority

Lake County Water Authority was created in 1953 to control and conserve the freshwater resources of Lake County through the improvement of streams, lake and canals. Bowyer-Singleton worked on various storm water, environmental and park projects for the improvement of storm water systems for the Authority.



- **Carlton-Beauclair Channel Dredging** - Surveying, Bathymetric Survey and Design, Cost Estimates, Permitting, Construction Administration, Final Certifications
- **Crescent Lake Canal Study** - Preliminary Engineering Design, Reports, Cost Estimates, Permitting, Surveys
- **Lake Hollywood** - Environmental Analysis and Reports, Exhibits
- **Palatka River Erosion Protection** - Preliminary Engineering Report, Drainage Design Report, Cost Estimates, Permitting, Surveying, Final Construction Plans, Pre-Bidding Construction Administration, Final Clearance
- **Structure Inspection Program** - Field Reviews, Environmental Assessment, Reports, Right-of-Way Review, GPS – Survey, Topographic Survey, Structural Design, Storm Water Review
- **Sunshine Peat Mine** - Engineering and Environmental Peer Review
- **Water Control and Repair Plans** - Preliminary Engineering, Final Engineering, Final Construction Plans, Cost Estimates, Construction Administration, Permitting, As-Built Certifications and As-Built

Miscellaneous Disney World Designs & Studies Lake Buena Vista, Florida

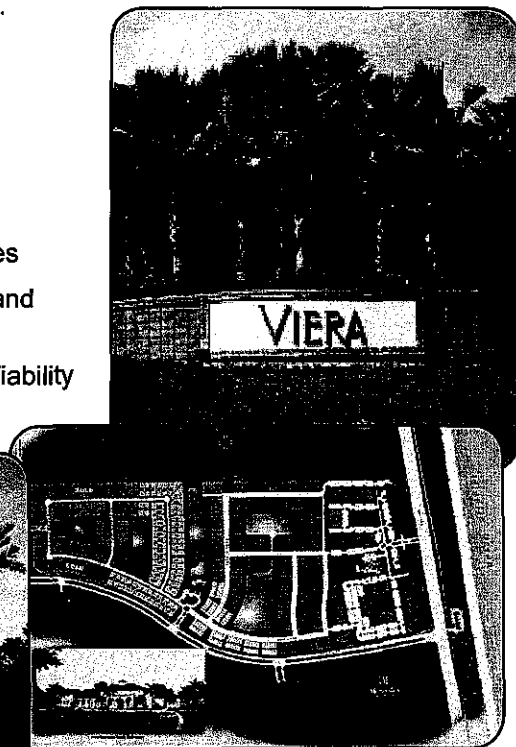
WALT Disney World Resort

- This project was an ongoing contract to provide all types of civil and traffic engineering services to Walt Disney World. One area of particular concern that was included on most projects was safety. Bowyer-Singleton was responsible for development of signal warrant studies, speed studies, traffic signal design, signing and pavement marking design, and development of work zone traffic control plans. Expert assistance was also provided for the development of property wide standards for traffic engineering design and work zone traffic control design.
- The projects completed for Walt Disney World included:
 - Warehouse Crosswalk
 - Avenue of the Stars Speed Study
 - Floridian Way Acceleration Lane Extension
 - Epcot Exit Ramp Guardrail Design
 - Cast Red Lot Parking Layout
 - Downtown Disney Traffic Counts
 - Bear Island Road Warrant Study
 - Downtown Disney Pedestrian Study
 - Vista Boulevard Speed Hump Design
 - Downtown Disney Traffic Study
 - Buena Vista Drive at Osceola Parkway Signal Design
 - Bear Lake Road Guardrail Design
 - Disney/MGM Disabled Lot Relocation
 - Dopey Drive and Bonnet Creek Intersection
 - Animal Kingdom Bus Loop Pavement Markings
 - Sherberth Lane Left Turn Design

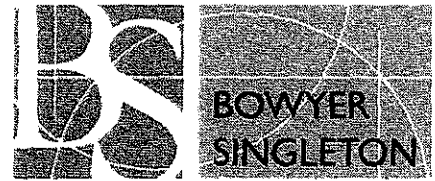


Miscellaneous Community Development Districts

- Bowyer-Singleton serves as the District Engineer for various Florida CDDs providing us with the unique experience, familiarity and understanding of the types of projects. Our experience ranges from drainage and utilities to construction management and beyond. The CDD projects varied in size from 200 acres to over 4,000 acres.
- Some of Bowyer-Singleton's CDD Experience:
 - Viera CDD, Narcoossee CDD, Montecito CDD and Vista Lakes CDD
- Bowyer-Singleton's CDD Community services included:
 - District Engineer
 - Continuing Consulting Services and Continual Monitoring of CDD Facilities
 - Provide Storm Water Modeling and Retrofit Alternatives for Flooding Roads and Private Property
 - Cost Effective Flood Control, Water Quality Management, and Maintain Viability of the Existing Wetland / Ecological System
 - Civil Engineering Improvements
 - Site Plans
 - Surveying
 - Permitting
 - Construction Administration
 - Facilities Yearly Inspection and Compliance
 - Yearly Facility Reports



Sent Via Email: bmeeks@edgewood-fl.gov



January 18, 2012

File No. BSA 14

Ms. Bea Meeks, MMC, CPM
City Clerk
City of Edgewood
City Hall
405 Larue Avenue
Edgewood, Florida 32809

Subject: **Engineering Services – Request for Qualifications
Schedule of Rates for Services**

Dear Bea,

As requested in your e-mail dated January 11, 2012, we are providing Bowyer-Singleton's Schedule of Rates for Services that will be part of our contract with the City of Edgewood in providing Engineering, Surveying and Planning services under a Continuing Service Agreement.

We understand that these will be considered for approval by the City Council at the February 21, 2012 meeting.

Should you have any questions or require additional information, please contact us at your convenience. We look forward to providing our services to the City of Edgewood in the upcoming year.

Sincerely,

A handwritten signature in black ink, appearing to read 'RM', is located below the 'Sincerely,' text. The signature is fluid and cursive.

Reinardo Malave
Senior Vice President

RM:dpr
\\BSA-14\Edgewood\3000
Enclosures

Bowyer-Singleton & Assoc., Inc.

Rate Schedule for Time and Expense Services

All rates shall be all inclusive of overhead and profit.

~~Rates shall be effective for at least the first full year of the agreement~~

ENGINEERING

	<u>Hourly Rate</u>	<u>Personnel assigned to City</u>
CADD Technician	\$75.00	Stephen Huber
Sr. CADD Technician	\$100.00	Ken Kunzen, Nicole Gargas
Engineer Intern	\$80.00	Sean Gibbins
Engineer II	\$90.00	Lizette Martinez
Engineer III	\$100.00	Luis Pena, Robert Johnson
Engineer IV	\$110.00	Storm Kazmierczak, Sanam Rai, James Bradford, Bilal Naji
Senior Engineer/P.E. V	\$125.00	Raymond Lee, Nicole Stalder
Senior Engineer/P.E. VI	\$150.00	Kevin Hebert, Craig Noon
Senior Engineer/P.E. VII	\$175.00	Dan Christie, Scott Stearns

CONSTRUCTION ADMIN SERVICES

Senior Construction Coordinator	\$140.00	Barry Roy
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PLANNING, GIS, LANDSCAPE ARCHITECTURE

Senior Planner, RLA	\$130.00	Mike Holbrook
GIS Analyst	\$85.00	Sarah Maier

ENVIRONMENTAL SERVICES

Senior Environmental Scientist	\$115.00	Alexis Preisser
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SURVEY STAFF

3-Man Crew	\$165.00	3-man Survey Crew
Survey Technician	\$80.00	Lee Thibodeau, Mike Phillips, Jamie Munro, Luke Fulford, Robin Cummings
Professional Surveyor & Mapper	\$135.00	Jeff Barnes, Bill Byrd
Sr. Surveyor & Mapper	\$175.00	William Donley

PROJECT MANAGEMENT

Project Manager	\$130.00	Tadd Kasbeer
Principals	\$220.00	Reinardo Malave, Kevin Knudsen

ADMINISTRATIVE/CLERICAL

Administrative Support	\$55.00	Carmen Pearce
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UTILITY DAILY RATES

Utility Location/SUE Daily Rate	\$1,700.00
Utility Designation/Daily Rate	\$1,400.00

Reimbursable Expenses:

Job-Contractors	Cost plus <u>0</u> %
Cost per Copy:	\$ <u>0.05</u>
Costs: 24" x 36" plan sets	Cost per sheet: \$ <u>0.70</u>
Travel	\$ <u>0.35</u> per mile



January 16, 2012

Bea L. Meeks, MMC, CPM
City Clerk
City of Edgewood City Hall
405 Larue Avenue
Edgewood, FL 32809

Subject: Statement of Qualifications for Professional Engineering Services
Schedule of Charges

Dear Bea,

We are excited about the City's selection of our firm as one of the firms to provide additional information in connection with the Professional Engineering Services contract. I have outlined below the information requested with our responses.

- ***Hourly rates for professional and staff members who would be providing services to the City (i.e. engineer, surveyor, technician, etc.)***

Please find attached a Schedule of Charges for our hourly rates and other direct costs.

- ***Retainer Rates***

We will not require any retainers from the City.

- ***Include if rates and charges include all normal equipment and materials used***

Our rates and charges include all normal equipment and materials used. Other direct costs related to reproduction and other miscellaneous items are included in the attached Schedule of Charges.

- ***Include if time includes or excludes travel***

We will not charge for travel time for travel within the City of Edgewood or Orange County.

- ***If travel is billed, at what rate***

Out of City of Edgewood and Orange County travel, if required in the course of rendering our services, will be billed at a discounted Principal Rate of \$120 per hour as indicated in the attached Schedule of Charges.

- ***Include rates for AUTOCAD, aerial photogrammetry Service and Survey, Soil Investigation and Field Tests, etc.***

Hourly rates for all staff members are included in the attached Schedule of Charges. Aerial photogrammetry and soil investigations, if required, will be sub-consulted to third party professionals who specialize in these services. With the City's approval, we will manage these services with no mark-up of their fees, and we will charge our time based on our hourly rates, which are included in the Schedule of Charges.

- ***Distinguish rates if your firm will provide engineering, planning and/or surveying services***

The hourly rates in the attached Schedule of Charges have been itemized to distinguish between all the services provided.

I trust that this letter and the attached Schedule of Charges adequately address your request and look forward to working with the City if selected for this contract.

Please do not hesitate to contact me if you need further clarification or additional information.

Sincerely,
Florida Engineering Group, Inc.

Sam J. Sebaali, P.E.

Digitally signed by Sam J. Sebaali, P.E.
DN: cn=Sam J. Sebaali, P.E., o=Florida Engineering
Group, Inc., ou, email=ssebaali@feg-inc.us, c=US
Date: 2012.01.16 11:23:13 -05'00'

Sam J. Sebaali, P.E., President



5127 S. Orange Avenue, Suite
200 Orlando, FL 32809
Phone: 407-895-0324
Fax: 407-895-0325



**CITY OF EDGEWOOD – PROFESSIONAL ENGINEERING SERVICES
SCHEDULE OF CHARGES
HOURLY RATES AND OTHER DIRECT COSTS**

HOURLY RATES

Civil Engineering and Planning Services Hourly Rates:

<u>Employee Category</u>	<u>Hourly Rate</u>
Principal Engineer.....	\$ 150
Principal Engineer - Hearing Attendance and Travel Outside Orange Co....	\$ 120*
Project Manager/Senior P.E.....	\$ 125
Project Engineer.....	\$ 105
Engineer.....	\$ 85
Senior Planner.....	\$ 105
Planner.....	\$ 85
Senior Engineering Technician.....	\$ 75
Senior CAD Design Technician.....	\$ 65
Permit Coordinator.....	\$ 60
CAD Technician.....	\$ 55
Secretarial/Clerical Specialist.....	\$ 45

*** Principal Engineer Rate Discounted for Attendance of Regularly Scheduled Hearings and for Travel Time Outside Orange County.**

Surveying Services Hourly Rates:

<u>Employee Category</u>	<u>Hourly Rate</u>
Survey Crew.....	\$ 95
Professional Surveyor Review.....	\$ 90
CAD/Survey Technician	\$ 75
Secretarial/Clerical Specialist.....	\$ 45

Transportation Engineering and Planning:

<u>Employee Category</u>	<u>Hourly Rate</u>
Principal Engineer.....	\$ 170
Senior Engineer.....	\$ 125
Senior Planner.....	\$ 105
Engineer/Planner.....	\$ 85
Traffic Designer.....	\$ 65
Traffic Analyst.....	\$ 60
Technical/CADD Operator.....	\$ 55
Secretary/Clerical Specialist.....	\$ 45



**FLORIDA
ENGINEERING
GROUP**

5127 S. Orange Avenue, Suite
200 Orlando, FL 32809
Phone: 407-895-0324
Fax: 407-895-0325



OTHER DIRECT COSTS

Vellum Plots.....	\$ 15/Sheet
Plan Reproduction 24" x 36"	\$ 1.5/Sheet
Plan Reproduction 30" x 42"	\$ 2.0/Sheet
Copying 8 ½" x 11"	\$ 0.25/Page
Color Copies 8 ½" x 11"	\$ 1.00/Page
Color Copies 11" x 17"	\$ 2.00/Page
Color Copies 12" x 18"	\$ 2.50/Page
Maps, Aerials, etc.	Cost
Sub-Consultant Work.....	Cost
Regular Pickup/Delivery (In-Town)	\$ 30
Express Mail/Fed-X (Letter Size Packages).....	\$35
Other Miscellaneous Costs.....	\$Cost
Mileage.....	IRS Allowable Rate

FEG



**FLORIDA
ENGINEERING
GROUP**

5127 S. Orange Avenue, Suite
200 Orlando, FL 32809
Phone: 407-895-0324
Fax: 407-895-0325





Engineering The Future

OUR MISSION

To assist our clients in bringing their project ideas to fruition and maximizing their return on investment.

OUR VISION

FEG is committed to providing our clients with OUTSTANDING professional engineering services. Our goal is to add value with our services through the delivery of cost-effective and value engineered solutions, which are innovative, streamlined, on-time and within budget. Through teaming with highly qualified architects, planners, surveyors, and geotechnical consultants, we provide a full scope of services from conceptual planning through construction completion.

PRINCIPALS



Sam J. Sebaali, P.E., LEED® AP is President and CEO of Florida Engineering Group, Inc. He has been a practicing engineer since 1985 and founded FEG in 1993. Sam has extensive experience in all aspects of civil engineering and is a recognized expert in storm-water management system design and permitting. Sam has successfully completed the design, permitting, and construction oversight of several hundred projects throughout the states of Florida and Georgia, and internationally. He has also received numerous quality service awards throughout his engineering career. Sam earned his Bachelor and Master of Science degrees in Civil Engineering from Louisiana Tech University and a Master of Business Administration degree from Saint Leo University. He is a registered Professional Engineer in the states of Florida and Georgia, and he is also a Certified General Contractor in the State of Florida.



Jean-Paul Aquin, P.E., LEED® AP is Vice President of Florida Engineering Group, Inc. He has been a practicing engineer since 1988 and joined FEG in 2004. Jean-Paul has extensive experience in managing the full range of design and construction services for a wide variety of projects. He has been a key player in the planning, permitting, and construction oversight of numerous projects, including public and private sector infrastructure, planning, permitting, and construction oversight, and construction administration. Jean-Paul holds a Bachelor's degree in Civil Engineering from Webster University. He is a registered Professional Engineer in the state of Florida. Jean-Paul has been a frequent speaker at conferences and seminars on the topic of water infrastructure and development of water resources and the importance of water infrastructure in the state of Florida.

OUR SERVICES

FEG is a regional civil engineering firm specializing in comprehensive land development and municipal engineering solutions. FEG proudly serves our clients through offices in Florida and Georgia.



- ✓ Site Investigation
- ✓ Planning and Zoning
- ✓ Land Use and Entitlements
- ✓ Design and Permitting
- ✓ Construction Administration

FEG's comprehensive capabilities allow our team to take projects from the initial planning phases through final design and construction. Our team of highly qualified engineers, technicians, and support staff has a proven track record in project delivery and is highly regarded in the industry, as well as among regulatory agencies. FEG's project experience includes commercial, residential, resort, institutional, industrial, municipal, and infrastructure projects of various levels of complexity.

SAMPLE PROJECTS

VERANDA PARK



DUKE PARK SOUTH, UNITS 1 AND 2



NEW SMYRNA BEACH FIRE DEPT.



LAKE MARY PREPARATORY SCHOOL - PHASE II



ASHTON PARK SUBDIVISION



TESTIMONIALS



"I am personally very grateful to FEG and what you stand for. As I see it, you stand for your client first and foremost"

"It is amazing that over the last several years you have been able to accomplish every single request and most of them have been huge and unconventional requests. I have been doing this a long time and must tell you this is quite an accomplishment. I am personally very grateful to FEG and what you stand for. As I see it, you stand for your client first and foremost. Two words for that is honor and integrity. Thank you so very much for always, and I mean always, being my friend and our professionals. You can always count on me that I promise."

Frank Abdo, Managing Member, Abdo & Burts, LLC, August 23, 2011

"FEG Delivered the best results with excellent contacts and complicated government rules and regulations."

"We hired [FEG] to guide us through [a] very complicated land use development plan and also [provide] civil engineering [services]. [FEG] delivered the best results with excellent contacts and complicated government rules and regulations. If you need any civil and regulatory work to be done, FEG is the place to go."

Harinath Sheela, MD, Digestive & Liver Center of Florida, July 24, 2011

"The entire FEG Team came through repeatedly during both planning and permitting..."

"I worked directly with [FEG] during the planning and building of Phase 1 of Veranda Park. The entire FEG team came through repeatedly during both planning and permitting, often by working with us to develop innovative and cost-effective ways to solve the myriad issues a project as complex in scope as a mixed-use development inevitably faces. [Their] deep knowledge of civil engineering, as well as [their] great relationships with the city and county planning personnel (who clearly also held FEG in high regard) were key factors in bringing the early phases of Veranda Park to completion."

Chris Gibson, COO Poppi Grey and Hutcheson, LLP, former COO Veranda Partners, LLC, May 13, 2011

City of Edgewood | Fee Proposal for Engineering, Planning, and Other Services

Weaver Boos would propose a contract with the City of Edgewood that would be, at the beginning of the contract, a time and expenses contract. However, for any individual project authorized by the City, Weaver Boos will provide a not-to-exceed estimate for fees, and will not exceed that estimate without written authorization from the City. In addition, as our relationship with the City grows, Weaver Boos can offer cost-certain fee proposals for various recurring services and special projects. For example, upon request of the City, Weaver Boos can offer a fixed fee proposal for annual water quality monitoring required by NPDES permits.

The standard hourly rates for this contact would be as follows:

Professional Staff	Jeffrey D. Schaffer, PE	Senior Project Manager	Professional Engineer (PE) and Planner	\$ 134.00	General Oversight and Review; Contract Management	
	Benjamin B. Ellis, PE	Project Manager	Professional Engineer (PE)	\$ 113.00	Primary Contacts for Edgewood	Engineer-of-Record for Design Projects (Roadway, Stormwater, Utilities, Etc.); Management of Water Quality Monitoring; Coordination with Orange County Utilities and Florida Department of Environmental Protection
	Maxwell D. Spann, RLA		Registered Landscape Architect (LA) and Planner			Landscape Architect-of-Record for Design Projects (Roadway, Recreation, Parks, Amenities); Assistance with Long-Range Planning and Visioning; Development Plan Review
	Sean M. Parks, QEP	Project Environmental Specialist		\$ 98.00	Assistance with Ecological Matters (Wetlands and Listed Species)	
	L. Michael Bowers				Assistance with Water Quality Monitoring; Assistance on Solid Waste and Environmental Matters	
Technical/Support Staff	Jesse G. Zavatsky	CAD Designer II		\$ 77.00	GIS Database Administration and Mapping; AutoCAD Design	
	Jan M. Cooper	CAD Designer I		\$ 67.00	AutoCAD Design; Construction Plans and Documents Management	
	Liane Reimer	Administrative Assistant		\$ 52.00	Administrative Support	

Weaver Boos can offer land surveying services to the City in cooperation with SurvTech Solutions of Tampa, Florida. The hourly rates for these services would be as follows:

Professional Surveyor (PLS)	\$ 138.00
CAD Technician	\$ 92.00
Party Chief	\$ 86.00
Instrument Operator	\$ 58.00
Survey Assistant	\$ 35.00

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CITY OF EDGEWOOD

Other subcontracted services, such as geotechnical engineering and aerial photogrammetry, would be charged at a rate of cost plus 15%.

Weaver Boos would not charge any travel time to the City of Edgewood for normal services, such as meetings with City staff, City Council meetings, site investigations, etc. Weaver Boos would only charge travel time for trips outside of the Central Florida area to conduct City business, such as trips to meet the St. Johns River Water Management District in Palatka or Florida Department of Environmental Protection in Tallahassee. These trips would be charged at the current IRS mileage rate and travel expenses.

The standard hourly rates described above include all normal equipment and material used, such as standard printing (up to 36" width) on paper, reproduction, telephone, etc. Unique printing and reproduction, such as large format or special materials, will be charged at a rate of cost plus 15%.

Weaver Boos does not anticipate that any contract with the City of Edgewood for Engineering Services would contain a retainer. Weaver Boos does provide Planning Services to other municipal clients, and some of those services are provided under a retainer-type agreement. Specifically, Weaver Boos attends all Commission/Council meetings, approves minor residential zoning permits, and responds to public zoning inquiries under a standard monthly fee.

Anticipated Engineering & Planning Services

The following budgets are examples only, based upon previously performed projects contracted on a time and expenses basis with a not to exceed budget.

Engineering / Planning	Professional Service	Scope	Qualifier	Cost
E	NPDES Annual Report	Coordinate and collect NPDES related information from City Staff, City contractors and co-applicants to complete the NPDES annual report. Provide an annual training session for City Employees and Contractors. Coordinate with Orange County Staff on the annual inspection of the Phase I MS4 report. City is responsible for application fees.	Annual Report procedures	\$800 Per Annual Report
E	NPDES Monitoring	Perform inspections of the stormwater outlets associated with the NPDES report and update the monthly maintenance logs. Maintain inventory of inlet markers used annually.	Monthly Services	\$750 Per Month
E	NPDES MS4 Permitting	MS4 individual permits expire after a term of five years. When the existing permit is in the fourth year, Weaver Boos will coordinate with City staff and Orange County staff to prepare and submit a re-application. The City will be responsible for all application fees.	Every Five Years	\$1,000 Per Renewal
E/P	Permit Application Preliminary Review	Review County permit applications to determine consistency with City code ordinances, zoning regulations and discretionary conditions of approval prior to submittal to Orange County.	As Needed per Project for Residential Projects	Fixed Fee of \$300 to be collected as part of the Permit Fee to the City
E	Foundation Inspection	Review site foundation/building pad layout to determine consistency with City code ordinances, zoning regulations and discretionary conditions of approval relating to setbacks.	Setbacks	
E	Final Completion Inspection	Review site to determine consistency with landscape, sidewalk, driveway installations per originally submitted plans and minimum City code and zoning compliance.	Zoning and Code Matters	

E	Final Completion Inspection	Review concerning installation of public works features such as meters, utilities connections, etc.	Public Works Matters	No Fees - To be completed by responsible Orange County Utility Department
E/P	Site Development Review	Attendance at all required review meetings and review of site development applications to determine consistency with all zoning regulations and the provisions and requirements of Chapter 134, Section 134-135 and subsequently required provisions of Chapter 130 of the City code. The subsequent processes of inspections deemed necessary through the discretionary conditions of approval shall be included in this process. NPDES tracking for annual reporting of construction activity.	Zoning, Code Matters, NPDES; support in Noticing adjacent properties. Includes governmental review process time related to the application.	Fees will be billed to the project applicant on a time and materials basis per the attached hourly rate schedule
E	Boat Dock Permit	Review Boat Dock Permit Applications to determine consistency with Chapter 14 of the City code and ordinances relating to boat dock construction.	Zoning and Code Matters; support in Noticing adjacent properties	\$500 Fixed Fee
E/P	Fence / Driveway Permit	Review County permit applications to determine consistency with City code ordinances, zoning regulations and discretionary conditions of approval prior to submittal to Orange County.	As Needed per Project	City Clerk to handle or \$100 Fixed Fee
E/P	Sign Permit	Review Sign Permit Applications to determine consistency with Chapter 122 of the City code and ordinances relating to sign construction.	Zoning and Code Matters not including Billboards	\$500 Fixed Fee
E/P	Professional Meetings	Bi-Weekly Staff Meetings to review applications and in-house initiatives, attendance at regularly scheduled Council Meetings.	Not including special sessions	\$600 Per Month

Examples of Special Projects

E/P	Annexation	Development of the application for annexation, notice to County, adjoining property owner list and verification of proposed annexation with State laws. Following this, an amendment to the comprehensive plan and a rezoning will be required for the annexed property.	Voluntary Annexations	\$2,000 - \$8,000
E/P	Code Review & Recommendation	Recommended proposal for servicing the review of existing signs not meeting current code. The review will be performed under a system of public/private partnership in lieu of code enforcement procedures. Weaver Boos shall review each identified site on a per project basis and develop a series of recommendations for the Owner to reach full code compliance.	Code Compliance Review as directed by City	\$600 Per Site or T&E Basis - Site Owner Cost
P	Comprehensive Plan Reviews & Amendments	Text and map based amendments to the comprehensive plan such as EAR based updates, State statute modifications at minimum	Comp Plan Modifications to Complete Re-Writes	\$10,000 - \$24,000
E/P	Grant Application	Discovery and development of funding mechanism applications and all supporting documentation on a per project basis and/or at the recommendation of Council or Staff.	At-Risk basis	\$1,000 - \$5,000 -or- 3% to 5% of Grant Value
E	Small Scale Flood Study	Development of a report involving the review of existing topographical and FEMA flood maps, conduct rainfall modeling, investigate localized data for rainfall rates, research existing regional studies, and review existing and potential land uses to incorporate in City submittals to FEMA, SJRWMD, and other agencies		\$2,000 - \$8,000
E	Master Plan for Reclaimed Water Service	Review demand, locality of existing infrastructure to City boundaries, modeling for pipe sizing, forecast existing utility conflicts, coordination with Orange County Utilities on future supply and distribution needs, possible booster pump locations.		\$4,000 - \$8,000

ORDINANCE NO. 2012-01

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, AMENDING THE CITY'S ADOPTED PERSONNEL POLICIES, PROCEDURES, AND RULES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Charter provides that the City Council shall from time to time review and, if necessary, amend the personnel policies, procedures, and rules; and

WHEREAS, the City Council has reviewed the personnel policies, procedures, and rules and finds and has determined that it is in the best interest of the City of Edgewood to amend certain provisions contained therein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, AS FOLLOWS:

SECTION ONE. The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Edgewood.

SECTION TWO. The personnel policies, procedures, and rules adopted by the City Council in Ordinance 2007-03 are hereby amended as provided in Exhibit "A" attached hereto and incorporated herein as though stated in its entirety (deletions are identified by strikethrough and additions are identified by underline).

SECTION THREE. SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION FOUR. EFFECTIVE DATE. The effective date of this ordinance shall be immediately upon its enactment.

PASSED AND ADOPTED this _____ day of _____, 2012, by the City Council of the City of Edgewood, Florida.

Judy Beardslee, Council President

ATTEST:

Bea Meeks, MMC, CPM
City Clerk

I. POLICY STATEMENT

The Policy of the City of Edgewood shall be:

- A.** To provide exceptional and cost-effective services achieved through innovation from responsive employees working in partnership with the community.
- B.** To attract and retain employees of the highest caliber.
- C.** To select employees based on ability, training, and experience, without regard to age, gender, race, color, religion, national origin, veteran status, family status (except as limited by Florida Statutes governing nepotism), or disability which does not preclude the performance of the essential functions of the position with reasonable accommodation(s) provided as necessary.
- D.** To provide career advancement opportunities for employees through training and educational assistance programs.
- E.** To provide training for supervisory personnel which will assure their ability to lead and motivate their employees in an effective manner.
- F.** To provide compensation and employee benefits which are fair and competitive.
- G.** To provide clean, safe, and pleasant working conditions for empowered employees to deliver services in a courteous, responsible, and effective manner.
- H.** To provide a grievance procedure for the prompt and appropriate settlement of employee grievances.
- I.** To promote from within, whenever possible and in the best interest of the City, based upon ability, documented employment record, demonstrated and documented job performance, and satisfaction of position qualifications.
- J.** To encourage the development of individual acceptance of responsibility for the attainment of outstanding public service, in accordance with the City's goals and objectives, while adhering to the standards of conduct contained in this policy manual.
- K.** To provide a safe workplace for its employees.

II. AUTHORITY AND ADMINISTRATION

Section 1. SCOPE

These policies shall apply to and govern all employees of the City of Edgewood, with the following exceptions:

- Mayor and City Council members.
- Members of Boards and Commissions (with the exception of employee Pension Board Trustees)
- Persons employed on a contractual fee for service or retainer basis
- Volunteers of the City

These policies do not apply to represented employees, whose terms and conditions of employment are outlined in their collective bargaining agreement.

The Personnel Policy Manual is not intended to supersede the City Charter, Ordinances, or any Florida Statute/provision of the Florida Administrative Code. In the event of a conflict between this Manual and any of these documents, the documents shall prevail.

The contents of this Personnel Policy Manual constitute statements of the City's current policies and may be changed and updated in accordance with the City's Charter and Code of Ordinances. Nothing in this policy manual is intended to create an employment contract, either express or implied, between the City and any employee. Nothing in this policy manual binds the City to a specific or definite period of employment or to any specific policies, procedures, actions, rules, or terms and conditions of employment.

Section 2. AUTHORITY FOR ESTABLISHMENT OF POSITIONS

With the exception of provisions of the Charter, all positions or offices in the municipal organization, and their rates of pay, are administered by the Mayor subject to confirmation by a majority vote of the City Council. Upon recommendation by a Department Supervisor for creation, elimination or a change to the rate of pay for a position within his or her department, the Mayor shall report to the City Council with a proposed course of action, which course of action may include non-action, within a reasonable time, which amount of time shall be determined by the City Council based on the circumstances of the recommendation. If the Mayor fails to report to the City Council within a reasonable time, the City Council may take action on the recommendation of the Department Supervisor.

Section 3. ADMINISTRATION AND APPOINTIVE AUTHORITY

With the exception of appointments reserved to the City Council by the City of Edgewood Code of Ordinances and Charter and Florida Statutes, general authority and responsibility for the personnel administration of municipal affairs is vested in the Mayor. Final authority to suspend or remove any City employee (except the City Clerk and Police Chief, who are at-will employees of the City Council) and to oversee all matters and subjects covered by these policies, is reserved to the Mayor. In the event the Mayor shall fail to take action consistent with these Policies on a violation of these Policies reported by a Department Supervisor within a reasonable amount of time, which amount of time shall be determined by the City Council based on the circumstances

of the reported violation, the City Council may take action based on the report of the Department Supervisor.

Section 4. ADMINISTRATION OF PERSONNEL POLICIES

Administration Execution of these rules and policies shall be the responsibility of the Mayor, based upon the City of Edgewood's Council-Mayor form of municipal government. Department ~~Directors~~ Supervisors shall be responsible for the effective administration of these rules and policies within their respective operations. In the event the Mayor fails to take any action required by these Policies within a reasonable amount of time, which amount of time shall be determined by the City Council on a case by case basis, the City Council may take such necessary actions.

Section 5. AUTHORITY FOR DEVELOPMENT OF DEPARTMENTAL POLICIES

A Department ~~Director~~ Supervisor shall have the responsibility and authority to develop and implement internal departmental policies and standard operating procedures ~~subject to review and approval of the Mayor.~~ In the event of any conflict between such departmental procedures and the provisions contained in this manual, the provisions of the Personnel Policy Manual shall apply.

Section 6. AUTHORITY FOR VARIANCE FROM POLICY

A Department ~~Director~~ Supervisor shall have the right to request, in writing, a variance from these policies when individual exigent circumstances so justify. This request shall be submitted to the Mayor. All variances require the written approval of the Mayor **prior** to implementation unless the exigent circumstances make such prior written approval unreasonable.

Section 7. CHANGES/AMENDMENTS TO PERSONNEL POLICIES

The City Council is vested with the authority to establish the policies and procedures which govern the operations, services, and maintenance of the City of Edgewood. The City Council will review the Personnel Policy Manual in its entirety on a periodic basis and revise it as deemed necessary and appropriate. In the intervening periods, this Personnel Policy Manual may be revised from time to time by the City to reflect statutory or ordinance changes; City Council action(s); or as deemed necessary by the City Council.

III. DEFINITIONS

AGE LIMITS FOR EMPLOYMENT

Applicants must be at least eighteen (18) years of age in order to qualify for full-time employment with the City. However, applicants who have reached sixteen (16) or seventeen (17) years of age may be considered for certain types of employment, as outlined in Florida Statutes.

AT-WILL EMPLOYMENT

At-will employees serve at the will of, and may be removed with or without cause and with or without notice by the Mayor, or as otherwise designated by the City Charter or other Code provisions. Accordingly, at-will employees do not have the right to a pre-determination hearing prior to termination or the right to an appeal hearing subsequent to termination of employment. All City employees are at-will employees.

CONTINUOUS SERVICE (Seniority)

Continuous Service is service credit which determines eligibility for employee benefits (vacation accrual rate, retirement, etc.). Continuous service is deemed uninterrupted for the following paid or unpaid leaves of absence while an employee: annual military training, military service, Family and Medical Leave, Workers' Compensation Leave. An employee's continuous service date is adjusted to reflect unpaid time for other leaves of absence.

DEMOTION

The movement of an employee, voluntarily or involuntarily, from one job classification to another job classification with a lower pay rate.

DEPARTMENT DIRECTORS SUPERVISORS

Department ~~Directors~~ Supervisors, currently the Police Chief and City Clerk, are at-will employees who are recommended by the Mayor, unless responsibility for such recommendation has been redesignated by the City Council pursuant to the Charter, and appointed by the City Council. The incumbents in these positions serve at the pleasure of the City Council, and are responsible for management of the offices or departments established by the City Charter, Ordinances, and/or Mayor. ~~Directors~~ Department Supervisors may be dismissed with or without notice; with or without cause; and do not have access to a pre-determination hearing or post-termination appeal. The terms and conditions of employment for Department ~~Directors~~ Supervisors may be outlined in Employment Agreements, as recommended by the Mayor, unless responsibility for such recommendation has been redesignated by the City Council pursuant to the Charter.

For purposes of disciplinary actions, grievances, and name-clearing hearings, the Mayor shall be considered the Department ~~Director~~ Supervisor of the City Clerk and Police Chief unless responsibility for oversight of the City Clerk or Police Chief has been redesignated by the City Council pursuant to the Charter.

DESIGNATED WORK WEEK

The designated work week begins at midnight on Sunday and ends at midnight on the following Saturday day of each week, as specified on the City of Edgewood's bi-weekly time sheet.

EXEMPT EMPLOYEE

Exempt employees are considered "salaried" employees in positions that are exempt from overtime payments as determined based upon the provisions of the Fair Labor Standards Act (FLSA); therefore, exempt employees are not entitled to overtime pay for hours worked in excess of forty (40) hours in a designated work week. Exempt employees are not eligible for cash payment of any administrative leave at any time during their employment nor upon termination of employment.

FULL-TIME EMPLOYEE

A full-time employee is an employee whose authorized, budgeted work schedule is forty (40) hours or more per week.

HOURS OF WORK

Hours of work refers to the shift an employee is scheduled to work in any 24-hour period.

IMMEDIATE FAMILY

Immediate family refers to spouse, and the following biological, adoptive, or "step" relatives: child (ren), spouse of child (ren), parents, brothers, sisters, grandparents, and grandchild (ren) of both the employee and the employee's spouse.

MAY

The word "may" shall be interpreted as permissive.

NON-EXEMPT EMPLOYEE

In accordance with the provisions of the Fair Labor Standards Act, "hourly" employees are deemed "non-exempt" and are entitled to overtime pay at the rate of one-and-one-half (1 ½) times their regular hourly rate for hours worked in excess of forty (40) hours of worked time in any designated work week.

NON-PROBATIONARY EMPLOYEE

A non-probationary employee is an employee who is assigned to an authorized, budgeted position and has satisfactorily completed the designated probationary period for new hires, as indicated on an evaluation completed by the supervisor.

NON-REPRESENTED EMPLOYEE

A non-represented employee is an employee whose position is not governed by a collective bargaining agreement. The terms and conditions of employment for non-represented employees are subject to the provisions of this Personnel Policy Manual, as amended from time to time.

OVERTIME PAY

Overtime pay refers to the premium compensation paid at a time-and-one-half rate for work performed in excess of the established work week or tour of duty, as defined in the Fair Labor Standards Act, and as provided herein and in applicable collective bargaining agreements. For the purpose of computing overtime, non-worked hours, such as vacation, sick, holiday, bereavement leave, and all other paid and unpaid leave, do not count as time worked.

PART-TIME EMPLOYEE

A regular status part-time employee (not temporary or seasonal) is an employee whose authorized, budgeted work schedule is less than forty hours per week. A part-time employee is

eligible for holiday pay, bereavement leave, vacation and sick leave, with the accrual rate prorated based upon the part-time employee's authorized work schedule. ~~Part-time employees are not eligible for holiday pay or bereavement leave.~~

Part-time employees are not eligible to participate in the group health, dental, vision, life, and short-term/long-term disability insurance programs. The respective insurance policies specify the authorized work schedule hours required for participation eligibility.

Part-time employees are eligible for overtime pay **only** when they have worked more than forty hours in a scheduled work week.

PROMOTION

Appointment of an employee to a position with a higher pay rate.

PROBATIONARY EMPLOYEE/PROBATIONARY PERIOD

A probationary employee is one who has not yet successfully completed the probationary period. ~~The initial (new hire) probationary period for employees covered by this Personnel Policy Manual is six months.~~

RECLASSIFICATION

A change in the classification of an existing position based on significant changes in assigned duties, responsibilities, level of difficulty, etc.

REGULAR STATUS EMPLOYEE

A regular status employee is a full-time or part-time employee who is not in his/her initial new hire probationary period and is in a budgeted, authorized position. Temporary, seasonal, and probationary (new hire) employees are not considered regular status employees.

REPRESENTED EMPLOYEE

A represented employee is an employee whose position and terms and conditions of employment are governed by a collective bargaining agreement.

SHALL

The word "shall" shall be interpreted as mandatory.

TEMPORARY or SEASONAL EMPLOYEE

A temporary or seasonal employee is an employee who is either employed through the City payroll or leased from a temporary agency for a specific period of time, normally not to exceed nine months. Temporary/seasonal employees may work on either a part-time or full-time basis. Temporary/seasonal employees include office or professional staff and casual laborers who work as required intermittently when there are specific tasks to be performed; and student/intern employees (bona fide students in an accredited educational or vocational program) who perform services for the City in a temporary position reserved solely for students.

Temporary/seasonal employees are not eligible to participate in any of the following fringe benefits: health, dental, vision, or life insurance; short-term/long-term disability insurance; vacation; sick/personal/holiday/bereavement leave; or retirement plan.

The terms and conditions for temporary workers provided by an employment agency, with which the City has a contract, are governed solely by the provisions of the agency's service agreement. All requests for temporary employees must be submitted to the Mayor, who must authorize all temporary assignments and who handles subsequent coordination/processing.

TERMINATION OR LEAVE OF ABSENCE DATES

The effective date of termination (voluntary, involuntary, or failure to return from an approved leave of absence) shall be the last day worked or the last day for which pay was received. The start date of an unpaid leave of absence shall be the date following the last day worked or the last day for which pay was received.

USE OF PRONOUNS "HE," "HIM," AND "HIS"

The use of the pronouns "he," "him," and "his" in this Personnel Policy Manual shall also refer to similar pronouns of the feminine gender unless otherwise qualified by the context.

WORK DAYS

The term "work days" generally refers to the 5-day period, Monday through Friday, except where 7-day/week and/or 24 hours/day operations, or other schedules, apply.

WORK DAY/SHIFT

Work day/shift refers to the number of hours regularly scheduled to be worked in one 24-hour period.

WORK PERIOD/TOUR OF DUTY

The specific, recurring interval of time declared by the employer in which hours worked are counted for the purpose of computing overtime, in accordance with the Fair Labor Standards Act.

WORK WEEK

Work week refers to the number of hours regularly scheduled to be worked during the designated work week. The City has established the designated work week to be Sunday through Saturday. This established work week is set forth on the City of Edgewood Time Sheet for the purpose of determining overtime in accordance with the Fair Labor Standards Act.

IV. COMPENSATION

Section 1. ADMINISTRATION OF EMPLOYEE COMPENSATION

Employee compensation is based upon the differences among positions and is intended to provide employees incentive, and to reward employees for performance. Employees will be paid in accordance with the compensation rates appropriate and competitive for the position classification to which assigned.

The Mayor shall have responsibility for the uniform and consistent administration of the employee compensation, including approval for all hiring rates, salary adjustments, and other payroll changes in accordance with the provisions of this policy manual and/or pursuant to the Charter and any existing code.

Section 2. PAY RATE UPON INITIAL HIRE

The pay rate at time of appointment to any position will be competitive with wage and salary levels for similar positions in other public agencies in the City of Edgewood's relevant work area. All salary offers, in conjunction with offers of employment, including in-house promotions, demotions, and transfers, are made by the Mayor with approval by the City Council ~~or City Council~~.

The ~~Mayor or~~ City Council will have the authority to establish the pay rate of a Department ~~Director~~ Supervisor upon appointment or promotion commensurate with the responsibilities of the position and competitive with other public agencies.

Section 3. PAY RATE AFTER LEAVE OF ABSENCE AND RECALL

If an employee is reinstated to the same or comparable position after an approved Military or Family and Medical Leave of Absence or by recall (within one year following the date of layoff), the pay rate upon reinstatement will be the same rate as was in effect at the time of departure, ~~or a higher rate if an authorized general salary increase occurred during the leave period or, to the extent allowed by law, a rate commensurate with global adjustments to City employee salaries that occurred during the absence.~~

Section 4. PAY RATE UPON REHIRE

If a former employee who left the City in good standing is rehired within six months in the same or comparable position, the employee's pay rate may but is not required to be the same rate of pay as was in effect at the time of the employee's departure, with the approval of the Mayor or City Council. The date of rehire shall become the employee's new anniversary date.

Section 5. PAY RATE UPON TRANSFER OR RECLASSIFICATION

If an employee is laterally transferred or reclassified (no change in the level of difficulty/responsibility of position), his/her pay rate ~~will~~ may remain the same.

Section 6. PAY RATE UPON PROMOTION

When an employee is promoted to a position vacancy with a higher level of difficulty/responsibility, his/her pay rate ~~will~~ may be increased as determined by the Mayor or City Council.

The pay rate of an employee promoted to a position as Department ~~Director~~ Supervisor shall be determined by the Mayor ~~or~~ with approval of the City Council commensurate with the responsibilities of the position and competitive with other public agencies.

Section 7. PAY RATE UPON DEMOTION

When an employee is demoted voluntarily, the pay rate will be decreased so that his/her salary is not higher than other incumbents in the same classification with the same or greater tenure with the City. In the case of the demotion for cause, organizational/administrative reasons, or for purposes of an accommodation, the pay rate will not necessarily be decreased in the manner described above for a voluntary demotion. The salary reduction for an involuntary demotion will be determined by the Mayor ~~or City Council~~ based upon the circumstances.

Section 8. ADVANCEMENT IN COMPENSATION

Advancement in compensation is in accordance with the guidelines issued by the Mayor ~~or City Council~~ in conjunction with the direction of City Council through the annual budget process.

Section 9. PAY UPON SEPARATION

An employee who separates from the City will receive his/her final paycheck on the next regularly scheduled payday following the date of separation. Final paychecks shall include payment for any unused leave which may be due the employee as provided in these policies. Any monies owed to the City will be deducted from the final paycheck.

Section 10. WAGES DUE TO A DECEASED EMPLOYEE

In the event of the death of an employee, his/her named beneficiary shall receive all wages, including leave benefits, which may be due the employee. Any monies owed to the City will be deducted from this paycheck. This payment will be processed through the payroll system.

~~Section 11. OTHER SALARY INCREASES~~

~~The Mayor or City Council may grant salary adjustments, as deemed necessary, for purposes of equity or as determined to be in the best interest of the City.~~

Section 12 11. OTHER COMPENSATION/BENEFIT PROGRAMS

Depending upon employee status (i.e., full-time, part-time, represented, non-represented, etc.), the following types of compensation and/or benefit programs may be authorized:

- Employee and Dependent Health, Dental, Vision and Life Insurance.
- Short-term/Long-term Disability Insurance.
- Internal Revenue Code Section 125 (Cafeteria) Plan.
- Retirement Plan.
- Educational Assistance.
- Uniforms or Clothing Allowance.
- Certification/Incentive Pay Programs

Section 13-12. CERTIFICATION/INCENTIVE PAY PROGRAMS

Certified Police Department employees that are subject to these Policies are eligible for educational incentive monies, in accordance with the provisions of Florida Statutes, Section 943.22. Incentive payments are in accordance with the eligibility criteria and limits outlined in the statute; these payments are included in each paycheck.

Section 1413. EMPLOYEE PAYCHECKS

City employees receive their paychecks on a bi-weekly basis. It is each employee's responsibility to review his/her paycheck for accuracy and to report promptly any discrepancies to the Department Head Supervisor or Mayor. Employees are discouraged from comparing their paychecks with the paychecks of other employees, as misunderstandings may arise because of the many differences that exist based upon hours worked, overtime, leave taken, tax deductions, benefit program deductions, etc.

A. MANDATORY AND VOLUNTARY DEDUCTIONS

1. The City is **required** by law to make the following **mandatory deductions** from each employee's paycheck:

FICA (Federal Insurance Contribution Act) and **OASDI** (Old-Age, Survivors, and Disability Insurance): commonly called Social Security, are legally established percentages of salary up to a certain dollar amount of salary earned in a calendar year.

Federal Income Tax (Withholding tax): the amount deducted is based on annual earnings and the number of exemptions claimed.

Internal Revenue Service (IRS) levy, child support/alimony payments pursuant to an Income Deduction Order, or other statutorily required deductions (e.g., reimbursement of a student loan to the State of Florida).

2. The City of Edgewood will make any of the following **voluntary deductions** for specific programs from employee paychecks provided the employee submits written authorization for each deduction:

- Additional withholding tax.
- Labor union dues for certified bargaining units.
- Health, dental, vision, and life insurance.
- Other voluntary insurances offered by the City.
- Deferred compensation program contributions.

Voluntary deductions such as lien assessments or alimony/child support deduction submitted by the employee rather than via the Clerk of the Court, etc., for the convenience of employee's personal debts/obligations, are prohibited.

B. ISSUANCE OF PAYCHECKS

Employee paychecks are released by their Department and will be released only to the employee. If an employee is not available to receive his/her paycheck, he/she must submit a written statement authorizing its release to a person designated in the statement or contact the City to request that the City mail his/her paycheck.

Paychecks are may be issued by direct deposit/payroll deduction deposits to approved institutions.

SECTION 15.14. LONGEVITY PAYMENT

An annual longevity payment based on years of continuous service will be paid to current employees. Payment of the longevity sum shall be made annually on the first pay period in December. The following schedule of payment will be used to calculate the longevity payment for full time employees for their years of service provided as full time employees:

Longevity Payment Schedule:

<u>Years of Service</u>	<u>Amount</u>
1 to less than 3 years	\$200
3 years to less than 5 years	\$400
5 years to less than 7 years	\$800
7 years to less than 9 years	\$1,000
9 years to less than 10 years	\$1,200
10 years to less than 12 years	\$1,400
12 years to less than 14 years	\$1,600
14 years or more	\$1,800

The longevity payment for part time employees shall be calculated by taking the amount such employee would be due for the years of service as shown above and multiplying that number by the number of regular hours per week scheduled for such employee divided by 40.

An employee who changes status from part time to full time or full time to part time shall be paid a longevity payment calculated based solely on the employees current status; however years of service in the prior classification shall be included when calculating the longevity payment.

V. RECRUITMENT, APPLICATIONS, AND EMPLOYMENT

Section 1. RECRUITMENT

- A. When a vacancy occurs in a budgeted position or there is need for a seasonal/temporary employee, the Mayor will initiate the recruitment process. In the event the Mayor fails to initiate the recruitment process within a reasonable time, as determined by the City Council, the City Council may initiate the recruitment process.
- B. The Department will prepare recruiting notices to publicize vacancies/solicit candidate applications. Job notices may be announced using a variety of media sources, including, but not limited to, the City's website, departmental bulletin boards; and/or newspaper/professional journals/internet job listings. Job notices shall include all statements required by law, including Equal Employment Opportunity statements. The decision regarding the means by which a position is advertised is based on the availability of funding for advertising, the criticality of need to fill the position, input and approval of the Department Director Supervisor and Mayor.

If it is deemed necessary to secure the services of an employment agency or professional recruiter to fill a key management/professional position, the Mayor City Council must approve the such services, and the Mayor shall ~~will~~ ensure that the employment agency or professional recruiter is retained in accordance with City policy, and the Mayor shall ~~will~~ serve as liaison in this regard.

- C. Job vacancy announcements shall include the following information: position title, salary information, application procedure/closing date, minimum qualifications' requirements, special/qualifying test requirements, federal/state requirements (e.g., equal employment opportunity statement, Veterans' Preference exemption, if applicable, drug-testing, etc.).
- D. In the event a position vacancy announcement is canceled or postponed after publication, each candidate who submitted an application shall receive written notification from the City advising of the postponement or cancellation.
- E. ~~The Mayor may appoint Department Directors and waive advertising for such positions.~~

Section 2. EMPLOYMENT APPLICATIONS

A. FILING OF APPLICATIONS

1. Applications are accepted by the City ~~Monday through Friday from 9:00 a.m. to 4:00 p.m.~~ during the City's regular business hours.
2. No individual will be denied the right to file an application for employment in any job classification in the City.

B. REJECTION OF APPLICATIONS

The City may reject or remove from consideration any application, or applicant, when it has been determined that any of the following apply:

1. The application was not received on or before the closing date established for receiving applications.
2. The applicant lacks any of the required qualifications set forth in the position vacancy announcement.
3. The applicant falsified or failed to complete the Employment Application.
4. The applicant has been convicted of a felony which was related to or has bearing on the employment sought.
5. The applicant was previously employed by the City and was dismissed for cause, did not resign in good standing, or is otherwise ineligible for re-employment.
6. The applicant previously applied for a position and failed a drug test within the past six months.
7. Other reasons which the City deems appropriate for a particular position.

Section 3. INTERVIEWS AND BASIS OF EMPLOYMENT

The City will interview only qualified applicants for position vacancies. The ~~manager/supervisor~~ Department Supervisor to whom the position reports is responsible for scheduling interviews, interviewing qualified candidates, and selecting the candidate who best matches the position requirements. In making this determination, the ~~manager/supervisor~~ Department Supervisor shall consider the candidates' merit and ability, as evidenced by training, education, experience, certification, skills, etc., based on valid minimum standards/requirements required by the position. Additionally, Veterans' Preference requirements shall apply in this process. The City Council shall be responsible for conducting interviews of qualified applicants for Department Supervisor vacancies based on recommendations made by the Mayor.

Section 4. CANDIDATE NOTICE

Each candidate who is interviewed will be provided with an appropriate notice from the City at the conclusion of the process. The candidate who is selected will receive notice of his/her selection for the position; those candidates not selected will receive written notice of non-selection.

Section 5. EMPLOYMENT PROCESS

Upon reaching a decision regarding the recommended candidate for an open position, ~~the Department Director~~ Supervisor shall initiate the following steps:

- A. Issues a written conditional offer of employment to the selected candidate specifying the position to which hired, salary, etc., and notice that final employment is contingent upon successful completion of post-offer of employment examination(s) and background checks as described below:
 - 1. Post-offer of employment examinations, which may include physical, psychological, and/or polygraph examination, and drug and alcohol screening, based on position requirements.
 - 2. Comprehensive/background investigations, including verification of previous employment, driving record checks, police records checks, and other investigations as deemed necessary, based on position requirements.
- B. After the candidate signs the conditional offer of employment, the ~~Department Director~~ Supervisor shall initiate the following actions:
 - 1. Conducts a comprehensive background check of the candidate. A candidate who has falsified information on the Employment Application or whose background, references, work history, driving record, etc., are not verified will not be hired.
 - 2. Makes arrangements for post-offer of employment examinations. The purpose of the examination is to certify the fitness and ability of the applicant selected to perform the essential functions of the position. Examinations will be performed by an officially designated medical authority/facility.
 - 3. Schedules the candidate (full-time, part-time, seasonal, temporary) for testing for the presence of controlled substances, narcotic drugs, and alcohol as part of the post-offer of employment physical examination. A candidate with a "positive" drug screen result will not be hired.
- C. The Mayor/~~Department Director~~ Supervisor shall issues a written offer of employment to the selected candidate, conditioned upon City Council

approval, provided all examination and background investigation results are satisfactory, establishes the date of hire and schedules the employee's orientation.

Section 6. EMPLOYEE ORIENTATION/NEW HIRE PROCESSING

- A. The City conducts new hire processing and orientation for new employees prior to the first day of employment. These programs include:
- completion of all required employment forms and submittal of verification of age, education, military service, citizen status, as applicable.
 - information regarding position status: exempt, non-exempt; represented by a bargaining unit or non-represented, etc.
 - explanation of the salary and fringe benefit programs for the employee's position.
 - review of rules and regulations, policies and procedures, and standards of conduct; completion of all forms/documents required by statute, City policy, and benefit programs for employment purposes.
 - certain safety information as required by City policy and/ or statutory regulations.
 - receipt of City identification badge or other related security information.
 - general overview of the municipal organization.
- B. Each new employee receives various manuals/brochures for use as a general guide to the City's policies, procedures, employee benefits, and standards of conduct. Each new employee shall sign an acknowledgement that they have read this Personnel Policy Manual and said acknowledgement shall be maintained in the employee's personnel file.
- C. It is the responsibility of each department/~~division~~ to inform a new employee of City and departmental policies and procedures as well as to train the employee regarding duties and responsibilities.
- D. The City will periodically conduct meetings regarding City benefit programs and will issue policy updates as necessary.

Section 7. EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY

- A. The City of Edgewood is morally and ethically committed to a policy of fairness and equity for all employees, in order to afford every employee the opportunity to achieve maximum potential as an employee.

The City recognizes the value of diversity and is committed to continue to recruit, hire, and promote persons in all position classifications without regard to race, color, religious creed, national origin, ancestry, age, gender, family status (except as limited by Florida Statutes governing nepotism), or a disability which does not preclude the performance of the essential functions of the position, with reasonable accommodation(s) provided as necessary. Position standards will impose only valid educational, experience, and physical requirements which are necessary in order to perform the essential functions of the position.

All employee actions, such as compensation, benefits, transfers, layoffs, return from layoffs, City-sponsored training, education, social, and recreational programs will be administered without regard to race, color, religious creed, national origin, ancestry, age, gender, family status, or disability.

- B. Disabled persons shall be given equal and fair consideration for employment or promotion, in accordance with the provisions of the Americans with Disabilities Act (ADA), in positions where the disability does not interfere with the performance of essential requirements of the position, as defined in the position description. Disability is defined as a condition which "substantially limits one or more major life activities; e.g., caring for oneself, performing manual tasks, talking, seeing, hearing, speaking, learning, and working."

Section 8. VETERANS' PREFERENCE

- A. In accordance with the provisions of Florida Statutes, Section 295, veterans and spouses of veterans who meet certain criteria are eligible for preference in employment or promotion provided the veteran or spouse possesses the minimum qualifications of the position as outlined in the position description. Such preference does not preclude the hiring of a non-veteran who is more qualified than a veteran.
- B. Veterans' employment preference expires following employment/promotion in a position with any public employer in the State of Florida for which Veterans' Preference was utilized (i.e., Veterans' Preference can only be used one time).
- C. The following positions in public agencies are exempt from Veterans' Preference:
- Elected officials and personal secretary of such officials.
 - Members of Boards and Commissions.
 - Temporary employees without benefits.
 - Department Directors Supervisors.

The position vacancy announcements for such City of Edgewood positions will state that the position is exempt from Veterans' Preference.

VI. CODE OF CONDUCT

Section 1. STANDARDS OF CONDUCT AND CODE OF ETHICS

The City of Edgewood is committed to serve the public with the highest standards and ideals of public service. Therefore, City employees and officials recognize their responsibility to serve the public with respect, concern, courtesy, and responsiveness, and to provide a safe, pleasant environment for employees and the public.

Each employee is a "good-will ambassador" whose duty it is to provide service in a manner to ensure the public will maintain confidence in the City and a favorable impression of its programs and policies.

Employees shall maintain a high standard of ethical conduct in which their behavior, including the appearance of their behavior, is beyond reproach. Accordingly, employees must avoid placing themselves in situations that create, or have the appearance of creating, a conflict of interest with their positions as public employees. City employees are expected to conform to the code of ethics outlined in Florida Statutes, Chapter 112, for public employees and as outlined in this Personnel Policy Manual.

Employees shall not provide to anyone any information (other than public information) that was obtained as a result of employment with the City in order to gain personal advantage for themselves or another. This rule shall not be construed to limit, hinder, or prevent the divulgence or use of information in the performance of official duties, but shall prohibit using or providing information that would place the employee or the recipient in a position of advantage over the general public, and thereby constitute a violation of public trust.

An employee who conducts himself/herself in a manner which reflects unfavorably on the City is subject to disciplinary action up to and including termination.

POLICY

This Code of Conduct establishes standards that must be adhered to by each employee of the City of Edgewood.

1. Commit to and practice the ethical obligations inherent in public service. This obligation requires each employee to be aware of the potential ramifications of his/her conduct.
2. Use the authority and resources of the City, which are entrusted to employees, to support and implement the policies and programs adopted by the City Council.
3. Safeguard the ability to make objective, fair, and impartial decisions, avoiding any conduct that might undermine the public trust.
4. Ensure that any anticipated personal action, business endeavor, or contractual relationship complies with applicable statutes or the provisions of this Personnel Policy Manual. If uncertain about the propriety of such action, the employee should submit a written request to the Mayor for review, analysis, and an advisory opinion **prior** to engaging in the action.
5. All employees shall conduct themselves according to the following:

- a) Employees shall not act in any manner that may discredit the City, public officials, fellow employees, or themselves; however, employees shall have the right to report fraud, waste or abuse. The rights of employees outlined in "whistleblower legislation" shall be honored and respected.
- b) Employees shall avoid any conduct or speech that is subversive to good order and discipline. Employees shall treat each other and the public with courtesy and respect, and refrain from making any derogatory or demeaning remarks concerning one another.
- c) Sexual, gender, racial, or religious harassment or discrimination shall not be tolerated.
- d) Employees shall avoid conduct and speech which unjustly or maliciously criticizes City departments, divisions, offices, officers, employees, or the policies, programs, or actions of the City, or ridicules or interferes with the reasonable supervision or proper discipline of personnel.
- e) Employees shall not discuss with citizens or interested parties, with the intent of influencing opinion, the merits of issues, candidates or matters to be taken up by and resolved by the City Council, referenda, or elections; discuss confidential information; engage in solicitation from citizens or others in action relation to the administration of the City; e.g., annexation, petition, etc., except as may be authorized in writing by the Mayor or Council President. Violations may result in dismissal from employment.

Section 2. CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP

The City of Edgewood is considered the primary employer for City employees. No employee of the City of Edgewood shall participate in any employment or business relationship that will create a conflict of interest with the performance of his/her responsibilities as a City employee, as outlined in Florida Statutes, Section 112.313. Employees may accept, have, or hold any employment or contractual relationship that does not constitute a conflict of interest; violate any applicable statutes; violate the provisions of this Manual; and is otherwise consistent with these policies. Employees may not conduct or receive any business documents relating to outside employment or business ventures at City offices during their normal work hours.

Employees who participate in approving, recommending or preparing any part of a purchase or procurement request; influence the content of any specification or procurement standard; or render advice, investigate, audit or act in any other advisory capacity in the procurement process may not work for a person or entity seeking to provide or providing contractual services to the City.

Employees acting in their official capacities shall not, directly or indirectly, procure contractual services for the City or substantially participate in the procurement of contractual services for the City from any business entity in which a relative, as defined by Florida Statutes Chapter 112.312, is an officer, partner, director, or owner or in which such member or his/her spouse, child, or any combination thereof has a material interest.

Employees are responsible for disclosing to their immediate supervisor whenever a family member is employed in any capacity in an organization or business entity which is being considered or has been approved to provide goods or services to the City of Edgewood, in cases in which the employee will participate through decision, approval, disapproval, recommendation, or preparation of any part of a purchase request by influencing the content of any specification or procurement standard; by the rendering of advice; by investigation; by auditing or by participating in any other advisory capacity in the procurement of contractual services or commodities.

Employees shall not use or attempt to use their positions or any City property or resource entrusted to them in an effort to obtain a special privilege, gain or benefit for themselves or others.

An employee may engage in paid employment with an employer other than the City. Upon accepting any outside employment an employee shall promptly advise his or her supervisor of such outside employment and the employee's expected work schedule with the outside employer.

No employee shall be permitted to perform outside employment which would violate any provision of State law or this Manual, or would present a conflict of interest, real or perceived, when viewed in the context of the employee's position with the City. The non-existence, existence, or perception of a conflict of interest shall be determined by the Department Supervisor ~~Director~~ with the concurrence of the Mayor, and, if necessary, by review of the City Attorney.

An employee's outside employment shall not interfere with the employee's effectiveness in his/her City position or impede, be inconsistent with, or adversely affect the performance of his/her City employment.

Employees governed by these Policies shall not use any equipment, supplies, facilities, vehicles, uniforms, or other property of the City to pursue or engage in outside employment. This prohibition shall include, but not be limited to, the City telephone service, photocopy machines, facsimile machines, etc.

Section 3. CONFLICT OF INTEREST REGARDING CONTRACTED CITY WORK AND/OR PURCHASE OF PROPERTY, MATERIALS OR SUPPLIES

1. Employees are prohibited from seeking business with, or submitting bids to, the City or having a material interest in any entity which seeks business with or submits bids to the City.
2. The term "material interest" is defined in Section 112.312, Florida Statutes as no direct or indirect ownership of more than five percent (5%) of the total assets or capital stock of any business entity, but indirect ownership does not include ownership by a spouse or a minor child of the employee.
3. Employees and entities in which they own a material interest may bid on surplus City property.

Section 4. DISCLOSURE OF INFORMATION

1. Employees shall not, in order to gain any personal advantage for themselves or for another, use or furnish any information to anyone which is not available to the public generally, and which was obtained as a result of City employment. This policy does not limit, hinder, or prevent the release or use of information in performing official duties.
2. Confidential or legally sensitive information obtained in the course of official duties shall not be released except by those employees specifically charged with this responsibility; provided, however, that it is the policy of the City to comply with the laws of the State of Florida relating to public records.

Section 5. SOLICITATION/ACCEPTANCE OF GIFTS, GRATUITIES, BENEFITS, OR THINGS OF VALUE AND PROMOTING PRIVATE BUSINESSES

1. Employees shall not solicit or accept any gift, either directly or indirectly, from any person or entity doing business with, regulated by, or seeking to do business with the City, or from the agent or lobbyist of any such person or entity. Employees who have questions in this regard should request an advisory opinion from their Department Supervisor ~~Director~~ or the Mayor, who may, in turn, seek a legal opinion.
2. The term "gift" means any gratuity, benefit, or any other thing which is accepted by, or given to an employee or another person on the employee's behalf, either directly or indirectly, and includes by way of illustration and not limitation, the following:
 - a) Real property and/or the use thereof;
 - b) Tangible or intangible personal property (as defined in Section 192.001, Florida Statutes) and/or the use thereof;
 - c) A preferential rate or terms on a debt, loan, goods, or services that is neither a government rate available to all other similarly situated government members or officials, or a rate which is available to similarly situated members of the public.
 - d) Forgiveness of an indebtedness;
 - e) Transportation, lodging, or parking unless on City business and the provision of same is disclosed on a travel voucher;
 - f) Food or beverage for employee;
 - g) Membership dues;
 - h) Entrance fees, admission fees, or tickets to events, performances, or facilities;
 - i) Services provided by persons pursuant to a professional license or certificate;

- j) Other personal services for which a fee is normally charged by the person providing the services; and
 - k) Any and all other similar goods or services having value not already provided for in this definition.
3. The term "gift" does not include:
- a) Salaries, benefits, services, fees, commissions, or expenses associated with the employee's employment;
 - b) Contributions or expenditures reported pursuant to Chapter 106, Florida Statutes; campaign-related personal services provided without compensation by volunteers or any other contribution or expenditure by a political party; however, each employee must first receive approval to run for office in accordance with the provisions of this Manual;
 - c) An honorarium or an expense related to an honorarium event paid to individuals and/or family members; however, disclosure of same shall be made, in writing, to the Mayor.
 - d) An award, plaque, certificate, or similar personalized item given in recognition of the employee's public, civic, charitable, or professional service;
 - e) An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization;
 - f) The lawfully permitted use of a public facility or public property for an authorized and approved public purpose;
 - g) Candy, food products, or plants which are generally distributed during holidays as an act of courtesy or benevolence; however, such items shall be placed in an area which allows and encourages all employees and the public to partake of such items;
 - h) Office supplies such as calendars, pens, pencils, or address books of nominal value, which are distributed generally to employees; and
 - i) Discounts offered to all employees (e.g., theme park discount cards).
4. Exceptions Regarding Gifts
- a) When an employee's duties and responsibilities include attendance (such as a speaker or program participant) at business, industry or public luncheons or dinner meetings with public, industry, or business committees, organizations, or associations and these meetings are related to City business, employees may participate. When a meal is provided at the function, the employee is authorized to accept the meal.

- b) Employees authorized to attend meetings, seminars, conventions, etc., sponsored by professional organizations are free to participate in the social functions that are part of the meetings or sanctioned by the host.
 - c) It may be appropriate for employees to attend social functions sponsored by members of an industry, business, or profession for a broad spectrum of community groups (such as legislators, businesspersons, and local officials). However, in deciding to attend such functions, employees should be careful to avoid any appearance of impropriety.
5. Employees are prohibited from promoting private businesses while on City time and from engaging in political activity, on behalf of themselves or others while on City time.

In the event that a gift, other than for general consumption, is received by mail or "dropped off" for an individual employee, the employee shall notify the Department Supervisor ~~Director~~ or Mayor immediately upon becoming aware of the gift. The Department Supervisor ~~Director~~ or Mayor will advise the employee as to the disposition of the gift.

Section 6. BRIBERY

- 1. An attempt to bribe an employee is a flagrant attack on the integrity of the City and all of its employees. A bribery attempt occurs when an offer is made to give anything of value to an employee with the intention that the employee will do something or fail to do something relating to the performance of the employee's duties. Whether the action or inaction would have taken place anyway is not pertinent to whether a bribery attempt has occurred.
- 2. Bribery offers are often made subtly rather than in direct fashion. Employees must be perceptive and alert to solicitations to accept gifts of money or anything else of value in return for acts or omissions involving their official functions and shall promptly report suspicious offers in order that the facts can be evaluated and investigations initiated when required. Any employee who has reasonable grounds for believing that a bribery attempt has occurred or will occur shall:
 - a) Immediately report the matter to his/her Department Supervisor ~~Director~~; and
 - b) Cooperate fully in any investigations.

Section 7. ADDITIONAL ETHICAL CONDUCT REQUIREMENTS FOR EMPLOYEES WITH REGULATORY RESPONSIBILITIES

- 1. The following definitions shall apply for the purposes of this Section:
 - a) The term "regulatory responsibilities" means duties or responsibilities assigned to an employee which involve:

- i) The direct responsibility for determination of whether or not an entity or the property of an entity is in compliance with Federal, State or local statutes, ordinances, laws, rules, or regulations, or for determinations or recommendations as to whether any license, authority to conduct business, or other certificate of authority issued by the City should be issued to an entity, be revoked, be canceled, or be suspended; or
 - ii) Direct responsibility for the approval of purchases by the City from an entity.
 - b) The term "entity" for the purposes of this Section means any individual, partnership, association, corporation (profit or non-profit), utility, or other organization, whether public or private, doing business with or subject to regulation by the City.
2. Each employee exercising regulatory responsibility shall, within five working days of making application for employment with a person or entities doing business with or subject to the regulation by the City, report to his/her Department Supervisor ~~Director~~, in writing, that such application has been made. The term "application" means a verbal or written communication whereby an employee seeks employment or for a contractual relationship for remuneration.
 3. Each employee exercising regulatory responsibility who receives an offer of employment or an offer for a contractual relationship for remuneration from any person or entity doing business with or subject to the regulation by the City shall report such offer, in writing, to his/her Department Supervisor ~~Director~~ within five working days of receipt of such offer. The term "offer" means a verbal or written communication in which a person or entity states an interest in retaining or employing the employee.
 4. Any employee exercising regulatory responsibility who has or who obtains a financial interest in an entity doing business with or subject to the regulation by the City shall report such fact to the appropriate Department Supervisor ~~Director~~ within five working days of the acquisition of such financial interest. The term "financial interest", for the purpose of this Section, means any arrangement whereby an employee acquires an ownership or material interest, or the right to acquire an ownership ~~or~~ material interest, in an entity.

Section 8. ADDITIONAL ETHICAL CONDUCT REQUIREMENTS FOR REPORTING INDIVIDUALS AND PROCUREMENT EMPLOYEES

1. As used in this Section:

The term "reporting individual" means any employee who is required by law, pursuant to Section 112.3145, Florida Statutes, to file full or limited public disclosure of his/her financial interests (financial disclosure).
2. A reporting individual shall report the receipt of expenses relating to any honorarium event from a political committee or committee of continuous existence, as defined in

reasons or personal gain shall be subject to disciplinary action up to and including termination.

5. Use of Official Badge of Authority

No official or employee whose duties involve the use of a City identification card, badge, or clothing insignia as evidence of authority, or for identification purposes, shall permit such card, badge, or insignia to be used or worn by anyone who is not authorized to use or wear same, nor to permit same to be out of his possession without approval of his/her Department Supervisor ~~Director~~ or the Mayor. Such badge, card, or insignia shall be used only in the performance of official duties of the positions to which they relate. Misuse of City badge of authority shall be cause for disciplinary action.

If an employee's City identification card, badge, or clothing insignia is lost or stolen, the employee shall report the loss/theft to his or her supervisor immediately.

6. Use of City Vehicles

Employees must possess and carry a valid Florida Driver's License when operating a City vehicle.

Drivers and/or passengers of City vehicles must wear seat belts while the vehicle is in motion, in accordance with State law.

If an employee is involved in an accident while operating a City vehicle, he/she must notify his/her Supervisor and contact a law enforcement agency immediately. The Supervisor will conduct an accident investigation and may request assistance from the Police Department to conduct the investigation, depending on the circumstances of the accident, or as deemed necessary by the Supervisor. If an employee receives a traffic citation as a result of the accident, payment of the ticket/fine shall be the employee's responsibility.

If an employee whose position requires a driver's license has his/her driver's license suspended or revoked for any reason, it is the employee's responsibility to notify his/her Supervisor as soon as he/she is aware of the suspension/revocation. The Supervisor will review the circumstances involved. The employee may be placed on suspension, with or without pay, pending a review of the circumstances, or arrangements may be made to place the employee in a non-driving capacity depending upon the circumstances of the license suspension/revocation, employee's overall record, and operational requirements. A memorandum outlining the circumstances will be forwarded to the Mayor for concurrence prior to any decision being reached/communicated to the employee.

The City may monitor monthly, quarterly, or annual updates from the State of Florida Department of Highway Safety and Motor Vehicles regarding status of the driver's license of each employee whose job requires possession of a valid Florida Driver's License. If such reports indicate that an employee's license has been suspended/revoked and the employee has failed to notify his/her Supervisor as outlined above, and has operated a City vehicle without a valid driver's license, in violation of this policy and in violation of law, the employee will be subject to disciplinary action, including dismissal.

Individuals who are not employees, vendors, contractors, etc. of the City are allowed as passengers in City vehicles **only** upon prior approval of a Supervisor.

City vehicles are to be used to conduct official City business or as otherwise authorized by an employee's supervisor. Personal errands and/or business are not to be conducted while on City time or while using a City vehicle. However, employees who are authorized a take-home vehicle or a vehicle during work hours are permitted the use of the vehicle for transportation during designated meal periods or work breaks while on duty.

Authorization for an employee to be assigned a take-home vehicle is in accordance with departmental policies and procedures, based on operational considerations, subject to approval of the Department Supervisor ~~Director~~ or Mayor.

Internal Revenue Code regulations govern the taxable or non-taxable status of take-home vehicles.

Failure to comply with this policy will result in disciplinary action, up to and including termination.

7. Employee Responsibility

Each employee who is provided City equipment, tools, supplies, or a vehicle shall exercise reasonable care in the safekeeping, use, and preservation of such City property and shall return the property in the same condition as the property was in when issued, except for normal wear and tear, upon separation from employment or upon request.

Employees shall promptly report, in writing, to their supervisor the loss, damage, or unserviceable condition of City property assigned to him/her or under his/her control. The immediate supervisor shall forward the report to the Department Supervisor ~~Director~~ for appropriate action.

Section 12. COMPLAINTS RECEIVED FROM THE PUBLIC AND INVESTIGATIONS OF COMPLAINTS

Any complaints regarding City services or employees by any citizen which are brought to the attention of any employee of the City shall immediately be relayed, ~~through the Supervisor,~~ to the Department ~~Director~~ Supervisor who shall be responsible to promptly report the Complaint to the or Mayor. The Department ~~Director~~ Supervisor is responsible for advising the Mayor of the complaint so that an investigation can be conducted, as deemed necessary, and appropriate action taken. Investigations resulting from complaints regarding sworn law enforcement personnel shall be conducted in accordance with the provisions of the Police Officers' Bill of Rights, respectively, as outlined in Florida Statutes, and elsewhere in this manual. Any written complaints shall be included in the City Council's agenda packet as an informational item.

Employees shall cooperate in any official investigation, as directed by the Department ~~Director~~ Supervisor/designee. Employees shall be required to appear for interviews, hearings, and/or inquires as directed and shall be required to answer truthfully and fully any questions related to the subject of the investigation.

Section 13. STATEMENTS OF CITY EMPLOYEES TO ATTORNEYS CONCERNING CITY EMPLOYEES/BUSINESS

If a City employee is requested or subpoenaed to make a statement to an attorney or law firm regarding litigation related to the City, the employee shall advise his/her Department ~~Supervisor~~ Director immediately upon receipt of the request/subpoena. The Department ~~Supervisor~~ Director will, in turn, advise the Mayor, who will consult with the City's attorney or insurance company's legal counsel to determine the proper course of actions. Failure to comply with this rule may subject the employee to disciplinary action.

Section 14. COMMUNICATION WITH CITY COUNCIL MEMBERS

Communication between elected City officials and City employees is encouraged. An employee to whom a City Council member directs an inquiry shall include the Mayor as a recipient of any written response to such inquiry and shall file any written response in the City's records.

The Mayor shall be immediately informed of any serious accidents, emergency situations, etc., by Department Supervisors ~~Directors~~/designees so that the Mayor can, in turn, advise City Council members.

Section 15. DRESS, GROOMING, AND PERSONAL APPEARANCE

Employees of the City shall maintain their dress, grooming, and personal hygiene in accordance with generally accepted contemporary professional standards. The City provides each employee with shirts with the City logo and department to which assigned; employees shall wear these shirts each workday. Employees are expected at all times to present an image appropriate to the work being performed. Reporting to work in soiled or torn clothing is not acceptable. Appropriate personal appearance, like proper maintenance of work area, is an ongoing requirement of employment with the City. ~~Generally, professional business attire will be worn in City Hall and other administrative~~

~~offices Mondays through Thursdays. Department Supervisors shall adopt guidelines for their departments establishing appropriate daily attire.~~ The attire of employees who do not regularly meet the public is to be governed by the requirements of safety and comfort, but should remain as neat and business-like as working conditions permit. Department Supervisors are authorized to require an employee to modify dress or grooming when such dress or grooming would create a safety hazard to the employee or others, disruption in the workplace, or does not comply with the above standards.

~~Fridays (or other days if the last day worked in the week, due to a holiday) are considered casual dress days for employees in business attire Mondays through Thursdays, as outlined above. Casual attire/clothing is expected to meet standards for neatness and cleanliness. Casual attire does not include shorts or tee shirts.~~

Any employee who does not meet the standards of this policy, or who fails to wear City-issued uniforms when required to do so, will be directed by a Department Supervisor to take corrective action, which may include leaving the workplace. Any work time missed because of failure to comply will not be compensated, and repeated violations of this policy will be cause for disciplinary action.

Section 16. POLICY STATEMENT CONCERNING DISCRIMINATION AND ALL FORMS OF HARASSMENT

- A. All employees have the right to work in an environment free of discrimination and any form of harassment or hostility based on race, religion, color, gender, age, marital/family status, national origin, or disability.
- B. To ensure that no employee is subjected to discrimination, harassment, or hostility, the City also prohibits any offensive physical, written, or spoken conduct regarding any of these subjects, including conduct of a sexual nature. Such conduct may constitute harassment when engaged in by one employee toward another or by someone in the City in a position to influence employment decisions when:
 - submission to such conduct is made either expressly or implicitly a condition of the recipient's continued employment; or
 - submission to or rejection of such conduct by the recipient is used as the basis for repeated and unwelcome physical, written, or spoken conduct by either a Supervisor or any fellow employee that substantially interferes with an individual's work performance or creates what a reasonable person could consider to be an intimidating, hostile, abusive, or offensive working environment.

Employees who engage in such behavior, which is both illegal and in violation of the City's policy, shall be subject to disciplinary action, up to dismissal, and may be personally liable for damages in the event of successful litigation against them.

- C. If an employee believes that he/she is being subjected to any of these forms of harassment or believes he/she is being discriminated against because other employees are receiving favored treatment in exchange, for example, for sexual favors, the employee is encouraged to report such occurrences to a Department Supervisor ~~Director~~ or the Mayor, who has responsibility for administration of this policy. Any complaint will be investigated promptly, under the direction of the Mayor, Department Supervisor ~~Director~~, and/or legal counsel, depending upon the nature of the complaint. Upon the conclusion of the investigation, appropriate action will be taken if it is determined that violations have occurred.
- D. A record of the complaint and the findings will become a part of a complaint investigation record, and the file will be maintained separately from employees' personnel files. Any resulting disciplinary action will become a part of the permanent personnel file of the employee receiving the disciplinary action.
- E. Any person who files a complaint regarding discrimination or harassment will be treated courteously, the problem handled swiftly and confidentially (to the extent practical and to the extent allowed by law), and the filing of a complaint will not be used or held against the employee, nor will it have an adverse impact on his/her employment status. This does not preclude disciplinary action against an employee who knowingly files a false complaint.

At the conclusion of the investigation of a complaint, all records become public records, in accordance with applicable Florida Statutes.

Section 17. POLICY ON DRUGS AND ALCOHOL

The City of Edgewood is committed to providing a drug-free/alcohol-free workplace and a safe work environment for employees, guests, our community, and the public. In order to maintain the highest standards of morale, productivity, and safety in our operations, the City has established the policies and requirements outlined below.

- A. To provide a safe workplace to its employees and preserve the public confidence in the City's ability to provide services and meet its obligations, the use or possession of controlled substances listed in Section 893.03, Florida Statutes, Schedule I is prohibited on and off duty. The use or possession, on or off duty, of controlled substances listed in Section 893.03, Florida Statutes, Schedules II-V is only permitted to the extent the employee possesses a valid and current prescription for such substance written by a licensed doctor. The sale of controlled substances listed in Section 893.03, Florida Statutes, Schedules I-V, is prohibited on and off duty.

For the purpose of this section, "controlled substance" shall be defined as defined in Chapter 893, Florida Statutes.

- 1. Employees are prohibited from possessing, using, distributing, or being under the influence of alcohol while on the job or on City property. City

property includes such areas as parking lots, vehicles, break rooms, and locker rooms, as well as buildings and other facilities.

2. If an employee has knowledge of the use and/or presence of alcohol or prohibited controlled substances in the workplace, he/she should immediately report this information to his or her Supervisor, the Department ~~Supervisor~~ Director, or the Mayor. Reports, complaints, and investigations will be kept confidential to the extent permitted by law.
- C. Sworn law enforcement personnel who are acting within the scope of their employment are permitted to possess prohibited controlled substances for specific job assignments. Such personnel shall be responsible for the accountability and proper disposition of such controlled substances as directed by Police Department rules and statutory regulations.
- D. Employees are required to report the use of over-the-counter medications or prescription drugs to their Supervisor if the medication may impair their ability to perform their jobs; e.g., operating vehicles/equipment, public safety, etc.
- E. The City of Edgewood is a Drug Free Workplace and conducts the following types of drug/alcohol testing:

- **Applicants for Part-Time, Temporary, or Full-Time Positions** who have been made an offer of employment conditioned upon successfully passing an employment screening examination, will be tested for the presence of alcohol and prohibited controlled substances, as part of the post-offer of employment physical examination.

Final employment offers will not be made until the drug/alcohol test has been administered and the results are known. Candidates who test positive for alcohol or prohibited controlled substances will not be hired by the City.

- **Reasonable-Suspicion Testing:** The City may require an employee to undergo testing when there is a reasonable suspicion to believe that the employee has possessed, used, distributed, or been under the influence of prohibited controlled substances or alcohol in violation of this policy. A reasonable suspicion is suspicion which is based on facts derived from the surrounding circumstances from which it is reasonable to infer that further investigation is required. A Supervisor may suspect that an employee is using or is under the influence of prohibited controlled substances or alcohol by observing certain symptoms or behavior, including, but not limited to:

1. Excessive absenteeism or chronic lateness.
 2. Drowsiness or sleepiness.
 3. Alcohol on breath.
 4. Slurred or incoherent speech.
 5. Unusually aggressive behavior.
 6. Unexplained change in mood.
 7. Lack of manual dexterity or coordination.
 8. Arrest for drug or alcohol related crime.
 9. Trustworthy information received from a third party.
- **On-the-Job Injury/On-the-Job Motor Vehicle Collision Testing:** Employees who sustain an on-the-job injury which requires referral for professional medical treatment may be required to undergo a Urine Drug Screen at the time medical treatment is administered. Additionally, an alcohol screen may be required, as deemed necessary by the City.

Employees operating a City vehicle involved in a motor vehicle collision will be tested as follows:

Drivers of commercial motor vehicles will undergo a Department of Transportation Urine Drug Screen and a Breathalyzer Test (B.A.T.). Drivers of non-commercial vehicles may be required to undergo a Urine Drug Screen and a Blood Alcohol Test.

All testing will be administered immediately following the motor vehicle collision, or as soon as possible.

- **Testing for Drivers of Commercial Motor Vehicles Involved in Accidents:** Drivers of commercial motor vehicles who are charged with a traffic citation for an accident or who are operating a commercial motor vehicle involved in an accident in which a fatality occurs (whether charged or not) are subject to drug/alcohol testing.
- **Random Testing for Operators of Commercial Motor Vehicles:** Employees whose job duties require a Commercial Driver's License (CDL) for operation of a commercial motor vehicle will be selected in an unbiased manner, randomly throughout the year, for drug and alcohol testing, as follows: 10% of the operators of commercial motor vehicles will be tested for alcohol annually and 50% of the operators of commercial motor vehicles will be tested for drugs annually.

- **Routine Fitness-for-Duty Testing:** Employees may be drug tested as part of any routinely scheduled employee fitness-for-duty medical examination.
- **Follow-up and Return to Duty Testing:** Employees who have failed a drug/alcohol test and are permitted by the City to return to work after completing treatment for alcohol or drug abuse will be tested prior to returning to work and will be subject to unannounced follow-up testing on a quarterly, semi-annual, or annual basis for a period up to two years, or for a period of up to sixty months for drivers of commercial motor vehicles (with at least six tests conducted within the first twelve months following return to work).
- **Additional Testing:** Additional testing may also be conducted as required by applicable state or federal laws, rules, or regulations, or as deemed necessary by the City.

F. When a Department Supervisor has reasonable suspicion of the presence or use of prohibited controlled substances or alcohol in the workplace, the following steps will be taken:

The ~~Department Director~~ and the Mayor will be notified immediately to assist in the investigation.

The Police Department will be notified if illegal drugs are found/involved. The City, in coordination with law enforcement, reserves the right to search City property, vehicles, and facilities.

The employee will be ordered to submit to drug/alcohol screening and will be taken by a supervisor to the testing facility.

Following the drug/alcohol testing at a facility designated by the City, the employee will immediately be relieved of duty pending the results of the drug/alcohol test. Depending on the gravity of the circumstances that led to the order for drug/alcohol testing, the employee may be allowed to use vacation, sick leave, or may be suspended without pay until such time as the test results are received.

Depending on the outcome of the drug/alcohol screening, the employee may be subject to disciplinary action, including termination, in accordance with the City's zero tolerance for drug/alcohol abuse; or, at the discretion of the City, offered rehabilitation/treatment through an appropriate agency, depending on the circumstances, the nature of the employee's position/duties, the employee's documented employment record, willingness to undergo treatment, etc.

- G. Drug/alcohol testing is conducted by providers contracted by the City and is performed in accordance with applicable Florida Statutes, Florida Administrative Code provisions, and Federal regulations. All records of drug/alcohol test results are maintained on a confidential basis.

Section 18. WORKPLACE VIOLENCE PREVENTION POLICY

OBJECTIVE:

The City of Edgewood is committed to preventing workplace violence and to maintaining a safe work environment and has adopted the following guidelines to deal with intimidation, harassment, or other threats of violence or acts of violence that may occur during business hours or on City premises. This policy applies to all employees, including temporary employees.

PROHIBITED CONDUCT:

The City does not tolerate any type of workplace violence committed by or against employees or any other individual on City premises. Employees are prohibited from making threats or engaging in violent activities.

All employees shall be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Except as otherwise provided by State or Federal law, firearms, weapons, and other dangerous or hazardous devices or substances are prohibited on City premises without proper authorization, such as the firearms of sworn law enforcement personnel.

Conduct that threatens, intimidates, or coerces another employee, a customer/vendor, or a member of the public will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based upon an individual's gender, race, religion, age, or any characteristic protected by federal, state, or local law.

The following list of behaviors, while not inclusive, provides examples of prohibited conduct:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Except as otherwise provided by State or Federal law, possession of a weapon while on City premises or while on City business (except for sworn law enforcement personnel);
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

REPORTING AND INVESTIGATION PROCEDURES:

Any potentially dangerous situations and all threats of violence or acts of violence, both direct and indirect, must be reported immediately to any member of supervision/management or the Mayor. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Employees are not to place themselves in danger by attempting to resolve a potentially violent situation without assistance. If an employee sees or hears a commotion or disturbance in his/her work area, the employee should not try to intercede or see what is happening. The employee should immediately contact a Supervisor and/or the Police Department for assistance.

Reports can be made anonymously and all reported incidents will be investigated promptly and thoroughly by the Mayor in conjunction with the department in which the incident occurred and/or the Police Department. The identity of the City employee making a report will be confidential to the extent possible and in accordance with statutory provisions. In order to maintain workplace safety and the integrity of investigations, the City may suspend employees, either with or without pay, pending the conclusion of the investigation.

Anyone determined to be responsible for threats of violence, acts of violence, or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The City encourages employees to bring any disputes or differences with other employees to the attention of a Supervisor or the Mayor before the situation escalates into potential violence. The City will assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

ENFORCEMENT:

Any employee determined to have committed acts of workplace violence or other prohibited conduct outlined in this section will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on City premises will be reported to the proper authorities and may be prosecuted.

Section 19. "WHISTLE-BLOWER" ACT

Employees are expected to report any violation of law by any City employee, official, or business entity with which the City is doing business if such violation creates a serious and specific danger to the public's health, safety, or welfare.

Employees are expected to report improper use of public office, waste of funds, or any other abuse or neglect of duty on the part of the City, a City employee, or a member of the City Council or any City board. An employee with knowledge of such actions or activities shall report this information to his/her immediate ~~Supervisor~~, other members of supervision, Department ~~Director~~ Supervisor, or the Mayor for investigation and resolution. The investigation will be conducted by the Mayor, and ~~or~~ Department ~~Director~~ Supervisor and, if necessary, ~~the~~ Police Department, depending on the nature and circumstances of the allegations. Information related to an ongoing investigation will be maintained on a

confidential basis to the extent provided by Florida Statutes, Chapter 112.3188. At the conclusion of the investigation the results of the investigation shall be reported to all elected officials.

Retaliation against an employee who reports any violation, abuse, or other improper action is strictly prohibited by Florida Statutes, Section 112.3187, and by City policy. Disciplinary action may be taken against an employee who knowingly files a false and/or malicious report.

VII. GENERAL TERMS AND CONDITIONS OF EMPLOYMENT

Section 1. EMPLOYEE FITNESS AND HEALTH

- A. Any employee may be required to take an examination at City expense at any time to determine the employee's general fitness for employment based on the essential requirements of his position. Such examinations may include, but are not limited to, physical, psychological, psychiatric examinations, or any evaluation deemed appropriate. Failure to comply with an order to take an examination will result in disciplinary action, up to and including dismissal.
- B. The reason(s) for requesting an examination must be submitted in writing to the Mayor for review to determine whether or not an examination is warranted. If an examination is deemed appropriate, the Mayor will schedule the examination; prepare notification to the employee in conjunction with the employee's supervisor; and prepare the information for the examining physician, including, but not limited to, the essential job requirements/functions of employee's position which are of concern; on-the-job injury/vehicle accident history and circumstances; job performance concerns; health; etc. The report of the independent medical examination, conducted by a competent medical authority selected by the Mayor, will be submitted to the Mayor and will be maintained on a confidential basis, pursuant to statutory regulations. The Mayor, in conjunction with the employee's ~~Supervisor~~/Department ~~Supervisor~~ Director, will review the medical reports and determine appropriate actions as necessary.

Section 2. EMPLOYEE PERSONNEL FILES, VERIFICATIONS, REFERENCE CHECKS

- A. The City Clerk is the custodian of employee personnel records.

It is each employee's responsibility to ensure that his/her personnel file is accurate and is updated to reflect current information, including, but not limited to, the following:

- name changes.
 - address, including actual place of residence and mailing address.
 - names, dates of birth, social security numbers for life insurance beneficiaries and for retirement beneficiaries.
 - telephone number.
 - emergency contact (name, address, and telephone number).
 - copies of education certificates, diploma(s), letters of commendation, awards, etc.
 - payroll deduction authorization(s).
 - tax withholding forms.
- B. All requests for employment verification regarding current or former employees shall be referred to the Department Supervisor ~~Directors~~ (e.g., mortgage forms,

reference checks, eligibility for rehire, confirmation of employment dates, etc.) so that any information released will be **documented information only**.

Section 3. SOLICITATION AND DISTRIBUTION

Solicitation for any purpose other than City business is not permitted on City premises/facilities without prior authorization of the Mayor, which may be granted for City benefit programs. If a sales representative contacts any employee while on duty or visits City facilities for the purpose of selling his/her product, the vendor should be informed in a courteous manner of the City policy regarding solicitation and advised to contact the Mayor.

To best serve the public, no personal or private business shall be conducted in working areas during working time. Employees, as well as sales representatives, are prohibited from soliciting employees during working hours, or distributing literature in areas where the work of public employees is performed, such as offices and other public facilities. This does not prohibit the distribution of materials during employees' lunch hours or in such areas not specifically devoted to the performance of employees' duties, provided the employees involved are not on duty.

Section 4. BULLETIN BOARDS

The various bulletin boards of the City are to be reserved for the posting of official notices and activities of the City. Employees are permitted to post notices of personal items for sale. Other personal messages or business advertisements are prohibited, except by permission of the Department Supervisor ~~Director~~. Information relating to represented employees may be posted on bulletin boards pursuant to the provisions of the respective collective bargaining agreements.

Section 5. INVENTIONS/PATENTS/ROYALTIES

The City encourages and supports employment-related inventions and ideas; however, the City shall not pay any further compensation for inventions since the employees will be receiving adequate compensation for their employment.

Employees shall promptly disclose to a Department Supervisor ~~Director~~ or the Mayor all inventions, discoveries, and improvements which the employee may make, either solely or jointly with others, while in the employ of the City. For a period of twelve (12) months following separation of the employee from the City, the employee shall identify which inventions, discoveries, and improvements relate to products, systems, programs, or other developments manufactured, developed, or sold by the City during the period of employment with the City, or the manufacture, development, or sale of which was in contemplation by the City. The employee agrees to transfer, assign, and convey to the City the employee's whole right, title, and interest in, including the employee's whole right, title, and interest in and to any domestic and foreign patent rights therein and any renewals.

In accordance with the City's financial contribution and the associated risk undertaken to demonstrate the practical utility of the invention, discovery, or improvement, each employee further agrees that during his/her period of employment with the City and any time thereafter, to execute any instruments, including without limitation, applications for letters, patents, and assignments thereof, or to comply with any directives which may be deemed desirable by the City to effectuate the provisions of this section. All expenses of filing or prosecuting any patent applications shall be borne solely by the City,

but the employee shall cooperate in filing and/or prosecuting any such other application.

Section 6. RULES REGARDING SMOKING IN CITY FACILITIES AND VEHICLES

The City strives to improve working conditions and protect the health of employees and the general public. In accordance with the Florida Constitution and the "Florida Clean Indoor Air Act" (Florida Statutes, Chapter 386), it is the policy of the City to provide a healthy, comfortable, and safe environment in all respects by prohibiting smoking in all City buildings and in City vehicles. ~~Additionally, the City does not allow employees to smoke or use any tobacco products during work hours, including meal and break periods.~~

Any supervisor who observes an employee in violation of this rule should remind the employee of this policy. Continued violation(s) will subject employees to disciplinary action.

Any employee who notices a member of the general public not observing the "no-smoking" regulations governing City buildings/facilities should courteously inform the citizen of the City's policy.

Section 7. SAFETY PROGRAM

It is the policy of the City to comply with all applicable federal, state, and local health and safety regulations and to provide a work environment as free as possible from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by Department Supervisors or by federal, state, or local law.

Section 8. WORKPLACE SECURITY

The City of Edgewood is committed to providing as much protection as possible for the security of our employees and the public, including security of City property/premises. Accordingly, certain items such as credit cards, keys/entry codes to City buildings and facilities, etc., will be issued only to employees whose responsibilities require them. Employees may be required to sign a form indicating receipt of a particular item and their understanding that it is the property of the City and is to be used for official business only.

Duplication of any restricted access item is prohibited.

Loss of any restricted access item must be reported to the issuing party as soon as the loss is discovered. An employee may be charged an appropriate fee for the replacement of any lost item.

Section 9. RESIDENCY REQUIREMENTS

The City has no residency requirements for employment.

VIII. PROBATIONARY PERIOD

Section 1. PURPOSE

- A. The probationary period shall be used for evaluation of an employee's performance and suitability to the position; to secure the most efficient adjustment of a new or promoted employee to the position; and for determining whether or not an employee meets the desired standards of performance.
- B. Every person who is employed in an established position in the City, except the City Clerk and Police Chief, shall serve a probationary period as provided herein before such appointment is considered "regular status."

Section 2. DURATION

- A. The duration of new hire probation shall be for a period of six months for all employees. Each employee will receive a ninety (90)-day written evaluation by his/her immediate supervisor; if performance is and remains satisfactory, the employee will continue to serve the remainder of the six-month probation. At the conclusion of the six-month probationary period, the employee will receive a written evaluation by his/her immediate supervisor; will be made a non-probationary employee; and will may be eligible for a merit increase.
- B. Unless otherwise provided in these policies and procedures, an employee in a part-time, temporary, or position who is selected for a full-time position shall serve a probationary period in the same manner as any other new hire appointment.

Section 3. REINSTATEMENT

An employee who has been reinstated (i.e., to the same or similar position upon return from recall from lay-off) may not be required to serve a probationary period ~~depending on the length of time between separation and rehire by the City, the requirement of the hiring department, or other factors~~ if reinstated within six months.

Section 4. RE-EMPLOYMENT

Employees re-employed within six months to the same position from which they resigned in good standing, may not be required to serve a new probationary period unless so requested by the hiring authority; however, persons rehired to the same or different position after six months of the date of separation will be required to serve a new probationary period.

Section 5. PROMOTIONAL APPOINTMENTS

- A. A **non-probationary** employee who is promoted shall serve a probationary period of three months in the new position.
- B. A **probationary** employee who is promoted to a higher level position will be required to complete his/her original new hire probationary period, or a minimum of three months' probation, whichever is greater.
- C. The length of the probationary period will be outlined, along with other conditions, in the notice of the promotion to the employee.

Section 6. DEMOTIONS

- A. Upon receiving a non-disciplinary demotion, including voluntary demotions requested by an employee, or demotions at the direction of the City, a **probationary** employee shall serve, at a minimum, the balance of the original probationary period. A non-probationary will not be required to serve another probationary period upon a non-disciplinary demotion or a demotion initiated as an accommodation unless requested by the hiring Supervisor and approved by the Mayor.
- B. A non-probationary employee demoted for disciplinary reasons shall be required to serve a probationary period of three months upon demotion.
- C. The length of the probationary period will be outlined, along with other conditions, in the notice of the demotion to the employee.

Section 7. EXTENSION OF PROBATIONARY PERIOD

An employee's Department Supervisor ~~Director~~ may authorize an extension (up to an additional ninety [90] days) of the established probation period prior the scheduled completion of the six-month probationary period. The extension may be based upon absence of the employee for an extended period of time during the probationary period or other extenuating circumstances. The Department Head Supervisor shall notify in writing the Mayor of any probation period extensions.

Section 8. DISMISSAL DURING PROBATIONARY PERIOD

At any time during the original or extended new hire probationary period, an employee may be terminated with or without cause by a letter of termination. An employee removed during his/her new hire probationary period has no right to a pre-determination notice/hearing or to a post-

termination appeal. An employee who separates from service with the City (for any reason) during the first ninety (90) days of employment shall be required to reimburse the City for any insurance premiums paid by the City on behalf of the employee and/or his/her dependents.

Section 9. RELEASE FROM PROBATION

Release from probation and appointment to regular status employment is not automatic upon expiration of the designated probationary period. A written evaluation must be completed, indicating that the employee has successfully completed his/her probationary period and is recommended for regular status. The completed written evaluation, including all required signatures/approvals, shall be timely submitted to the City Clerk for processing and inclusion in the employee's personnel file.

IX. PERFORMANCE EVALUATIONS

Section 1. PURPOSE

The employee performance evaluation process is designed to permit the evaluation of an employee's job performance and effectiveness as objectively and fairly as possible.

The primary purposes of the performance evaluation are, as follows:

- to inform the employee of his/her strengths and areas for improvement on the job; serve as a basis for discussion as to how the employee can improve performance; establish goals and expectations for future evaluation; etc.
- evaluation of an employee's potential for promotion.
- identification of areas of training needed.
- basis for disciplinary actions.
- determination of order of layoff.
- determination of suitability for regular status at the conclusion of the new hire probationary period or at conclusion of a probationary period following promotion/demotion.

The appropriate City official administers the performance evaluation system, including distribution of evaluation forms to departments in a timely manner for probationary and annual performance evaluations.

Section 2. EVALUATION PERIODS

A. PROBATIONARY EVALUATIONS

New hire probationary employees' performance is to be monitored during their probationary period to determine whether or not employment should be continued. Release from probation and appointment to regular status employment is not automatic upon expiration of the designated probationary period. Department Supervisors must conduct a performance evaluation for probationary employees who are retained throughout the probationary period. The evaluation for a probationary employee who is recommended for regular status must be completed by the end of the probationary period, but no earlier than one week prior to expiration of the probationary period; discussed with the employee; signed and dated by the Department Supervisor and employee; forwarded to the Mayor approved by the Department Supervisor-Director, and forwarded to the City Clerk for inclusion in the employee's personnel file.

B. ANNUAL PERFORMANCE EVALUATIONS

After successful completion of his/her new hire probationary period, an employee shall receive an annual evaluation on his/her anniversary date.

C. SPECIAL EVALUATIONS

A special evaluation may be conducted at any time when, in the opinion of Supervisors, the employee's performance has deviated from expected standards.

Section 3. EMPLOYEE COMMENTS ON PERFORMANCE EVALUATIONS

Employees are encouraged to comment on their evaluations. If an employee disagrees with the evaluation, he/she may submit a written statement which will be placed in his/her personnel file along with the performance evaluation.

X. PROMOTIONS, TRANSFERS, DEMOTIONS, REINSTATEMENTS

Section 1. PROMOTIONS

A. POLICY

In filling vacancies in all City positions, first consideration will be given to current employees who apply for and who meet the minimum requirements of the position. Promotions are not guaranteed nor seniority based; in addition to length of City service, the employee's documented performance record will be considered by the hiring department. All employees who are in positions with the City (including temporary agency employees) are eligible to apply. Temporary employees will be considered only if there are no qualified City employees competing for the position vacancy or if, after interview, City employees are not selected by the hiring department.

B. APPLICATION

Each employee who wishes to compete for promotion must submit a written notice and submit it to the appropriate City official on or before the closing date specified in the position vacancy posting. Any temporary employee who wishes to apply for internally posted positions must complete a City Employment Application and submit it to the appropriate City official on or before the specified closing date.

D. PROBATIONARY PERIOD UPON PROMOTION

A non-probationary employee who is promoted to a higher level position will be required to serve a three month probation in the new position. A probationary employee who is promoted during his/her original (new hire) probationary period will be required to serve the balance of the new hire probation or three months, whichever is greater.

The probationary period requirement will be outlined in the written notice of promotion provided to the employee at the time of the promotion.

An employee (excluding temporary employees) who is not successful in the position to which he/she is promoted after the conclusion of the probationary period may return to his/her previously held position, if the position is available. If the former position is not open and no other comparable position is available, the employee may be terminated.

A temporary/seasonal employee hired for a promotional vacancy is considered a "new hire;" accordingly, the employee must serve the new hire probationary period required by the position.

E. PAY RATE UPON PROMOTION

The pay rate at time of promotion to any position will be competitive with wage and salary levels for similar positions in other public agencies in the City of Edgewood's relevant work area.

A temporary agency employee who is selected for a promotional vacancy shall receive a pay rate in the same manner as any new hire (Chapter IV., Compensation, "Pay Rate Upon Initial Hire").

F. INTERVIEW PROCESS FOR PROMOTIONAL CANDIDATES

In order to be recommended for promotion, an employee must be interviewed by supervisors/management or a review board in the hiring department for which an employee is being hired.

G. REVIEW OF PROMOTIONAL CANDIDATES' PERSONNEL FILES

The hiring department is encouraged to review the personnel files of internal candidates to evaluate their documented performance record, including performance evaluations, any disciplinary actions, commendations, achievements, attendance record, etc. The personnel files are available for review in the City Clerk's office.

Section 2. TRANSFERS

A. An employee may request a lateral transfer to a position vacancy by completion of written request, and the process outlined in Section 1, Promotions. If the employee is transferred, his/her pay rate will remain the same. Depending on the circumstances of the transfer (e.g., lateral transfer to a different position in a different department), the employee may be required to serve a three-month probationary period. If a probationary period is required, the employee will be informed at the time of written notification of his/her selection for transfer.

B. The City, in the interest of the City and/or the employee, may transfer an employee, from one position to another position of the same classification or another classification in the same pay grade, if the employee meets the minimum qualifications of the other position. Such transfer will not

change the employee's pay rate, or status. If the employee is unable to perform the duties of the new position, with the approval of the Mayor, he/she may be transferred to another position for which he/she is qualified, or he/she may be terminated. Involuntary transfers are at the discretion of the City and are not subject to the grievance procedure. The movement of an employee to a higher or lower classification does not constitute a transfer and any such action must be accomplished in accordance with the procedure established for promotions or demotions.

Section 3. DEMOTIONS

An employee may be demoted to an available position of lower rank for which the employee is qualified, for any of the following reasons:

- as a disciplinary measure for violation of City or departmental rules.
- inability to satisfactorily perform the required duties and responsibilities of his/her present position to which he/she was hired or promoted.
- in lieu of layoff during a reduction in force or reorganization.
- when the employee voluntarily requests such demotion.
- as an accommodation for disability reasons.
- in the interest of the City.

An employee who is demoted, whether voluntarily or involuntarily, shall have his/her pay rate decreased as outlined in Chapter IV., Compensation, "Rate of Pay Upon Demotion."

A requirement to serve a probationary period and the length of the probationary period, upon the demotion, is dependent upon the circumstances of the demotion (voluntary/involuntary), employee status (i.e., probationary, non-probationary), or other factors, as determined by the City.

Section 4. REINSTATEMENTS FROM MILITARY SERVICE

- A. The purpose of this policy is to implement the rights, under applicable laws, afforded veterans, reservists, National Guard members, individuals being examined for admission to the military, and individuals rejected from military service to return to their former positions. Accordingly, any changes in applicable statutes shall also apply.
- B. This policy applies to all regular full-time employees of the City who resigned from City employment to enter the military and who provide

advance verbal or written notice to the City of such service unless such notice is not required under circumstances outlined in the Uniformed Services Employment and Reemployment Rights Act of 1994.

C. All individuals returning from active duty, entitled to reinstatement, will be reinstated to their former jobs or provided jobs of similar seniority, status, and pay, and as provided in the Uniformed Services Employment and Reemployment Rights Act of 1994. Such individuals are subject to the following conditions:

1. To be eligible for reinstatement, the individual must have satisfactorily completed his service. Generally, this means that persons with a discharge of other than honorable, undesirable, or as a result of a court martial, or any other occurrence or condition specified under the Uniformed Services Employment and Reemployment Rights Act of 1994, are not eligible for reinstatement.
2. The individual must return to work within a period of time outlined in the Uniformed Services Employment and Re-employment Rights Act of 1994 and have had no intervening employment.
3. To be entitled to reinstatement to the same job, the individual must still be qualified to perform it, pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994.
4. Individuals who did not hold regular full-time positions and/or had not completed their initial probationary period are not eligible for reinstatement under this policy.
5. Individuals eligible for reinstatement will be treated as if they had never separated from employment with the City; i.e., they will be entitled to continuous service credit from the date of hire prior to the military service, and all benefits will be calculated based on that date.
6. Employees who are reinstated will be required to undergo a medical examination for certain positions, such as sworn police officers, and will be required to undergo a drug/alcohol screen.
7. The City may not be required to reemploy an individual if certain circumstances exist, as set forth in the Uniformed Services Employment and Reemployment Rights Act of 1994.

- D. Other information regarding leaves for military service is outlined in Chapter XIV.

Section 5. REINSTATEMENT (RECALL) FROM LAYOFF

- A. Full-time employees who are on layoff are eligible for recall for a period of one year from the date of layoff. Eligibility for recall is to the same position or a similar position for which the former employee qualifies. However, recall does not apply to positions which are a higher classification than the position from which the employee was laid off.

If more than one employee in the same classification has been laid off, the former employee with the most seniority will be recalled first.

- B. At the time of layoff, it is the employee's responsibility to provide his/her current address and telephone number and to advise the Mayor of his/her desire to be recalled to his/her former position or similar position (not a promotional position) for which he/she is qualified.
- C. Notice to a laid off employee regarding the City's intention to recall the employee shall be by certified mail to the last address provided. If an employee so notified does not give written notice to the Mayor of his/her intention to resume employment within ten work days of receipt of the City's notice, it shall be assumed that the individual does not want to be recalled and the employee's name shall be removed from recall consideration. The only exception will be if the Post Office returns the Certified Mail Voucher to the City after fifteen days from time received with no signed acknowledgment that the employee received the notice. If a laid-off employee refuses in writing to accept the job offered because it is a lower paying position than previously held, he/she shall not lose rights for recall within the one-year period.
- D. Upon recall to work following layoff, the employee must pass an employment physical examination, if required by the position, and a drug/alcohol screen. The employee is credited with seniority through the date of layoff, but does not receive service credit for the period of time **not** employed. The continuous service date will be adjusted to reflect the period of time on layoff. Provisions for reinstatement of seniority for pension vesting purposes are subject to the provisions of the pension plan of which the employee is a member.

Rules governing probationary period and rate of pay upon recall to work from layoff are outlined in Chapter IV., Compensation and Chapter VIII., Probationary Period.

XI. HOURS OF WORK and OVERTIME/STAND-BY/CALL-BACK COMPENSATION and ADMINISTRATIVE LEAVE

Section 1. SCHEDULED HOURS OF WORK

Generally, the work week for full-time employees is forty (40) hours per week in the designated work week included on the City's bi-weekly time sheets. Supervisors will specify an employee's hours/days of work to ensure that departmental operational needs and public service requirements are met.

The work week for part-time employees varies depending upon position duties, operational requirements, and department to which assigned.

Section 2. WORK SHIFT ASSIGNMENTS

Each employee is assigned a work shift in accordance with the particular operational requirements of his/her department/division. Any changes to those shifts, except where specifically noted otherwise, shall be at the sole discretion of management. A 24-hour notice or more, whenever practical (i.e., non-emergency situations), may be provided in order to allow the employee time to make necessary personal arrangements.

Section 3. OVERTIME WORK AND PAY FOR NON-EXEMPT EMPLOYEES

- A. Position classifications are evaluated by the City to determine eligibility for payment of overtime in accordance with the Fair Labor Standards Act (FLSA). Employees whose positions are classified as non-exempt shall receive overtime pay at a time-and-one-half rate for hours worked in excess of forty (40) hours in the designated work week. Part-time employees who are scheduled to work less than forty (40) hours per week shall not be paid at the overtime rate until they have worked more than forty (40) hours in the designated work week.
- B. An employee whose position is classified as non-exempt shall not commence his/her principal work assignments before the start of the assigned shift unless authorized by a Supervisor. A non-exempt employee shall cease his/her principal work assignment at the end of his/her assigned shift unless authorized by a Supervisor.
- C. Overtime work must have prior authorization of the employee's Supervisor and/or Department Supervisor Director. Overtime work will be authorized/approved when necessary to meet essential operating requirements or emergency situations. Authorized overtime work will be offered to employees or required in accordance with the procedures established in each department, based upon operational needs. Authorized

overtime hours shall be reported to the City Council each month in the Regular Council meeting Agenda Packet.

- D. Department Directors/Supervisors shall maintain accurate records of overtime; monitor overtime assignments to ensure that operational and service requirements are met; and monitor overtime costs in relation to budgeted funds.
- E. Hours worked in excess of the forty (40) hour work week by a non-exempt employee will be recorded on the bi-weekly time sheet with the appropriate pay code for payment at a time-and-one-half rate.
- F. For purposes of computing overtime of less than one hour, increments of .25, .50, and .75 will be used by rounding off time worked to the nearest quarter hour increment.
- G. Paid leave for vacation, sick/personal leave, bereavement, short-term military leave, jury duty, holidays and any other compensated, non-worked time is **not** counted in determining the forty (40) hour work week for the purpose of computing overtime. Only actual hours worked count in determining the forty (40) hour work week or tour of duty for the purpose of computing overtime.

Section 5. ADMINISTRATIVE LEAVE FOR EXEMPT EMPLOYEES

The City determines which positions are exempt from overtime compensation, in accordance with the Fair Labor Standards Act (FLSA).

Exempt employees, (executive, managerial, or professional positions), as defined by the FLSA, are compensated on the basis that extended workdays and/or work weeks may be required to accomplish the expected assignments of the positions. Employees filling such positions are expected to work the hours necessary to complete their assignments. Additional hours worked in excess of the regularly scheduled work week are not compensable under the Fair Labor Standards Act. The City, however, may provide exempt employees (including probationary status exempt employees) administrative leave. Requests for administrative leave must be submitted to a Supervisors and approved by Supervisors in advance of the leave being taken. Administrative leave is not carried over from fiscal year to fiscal year. Exempt employees are not eligible for cash payment of any administrative leave upon separation or transfer to a non-exempt position.

Section 6. COMPENSATION DURING EMERGENCY SITUATIONS – RECOMMEND INCLUSION

In the event that the City closes administrative and other offices/facilities due to inclement weather (e.g., hurricanes); civil disaster; or other emergency situations; compensation for non-exempt employees required to work shall be in the same manner as any other time worked. Both

non-exempt and exempt employees who are told not to report to work during such situations shall receive straight time pay for regularly scheduled work hours. Exempt employees who are required to work may be granted additional administrative leave, at the discretion of the Mayor. During such emergency, if the City establishes temporary offices/facilities or directs employees to report to work at a work site other than their usual work site, the employees will be required to report to work.

Section 7. BREAKS AND LUNCH

- A. The City allows employees to take brief breaks from their daily work schedule. It is the responsibility of Supervisors to inform employees of break periods and to ensure that employees are provided time for the designated breaks. Such breaks are to be arranged in a manner that does not interfere with City business.
- B. Employees are encouraged to take their daily lunch break.

Section 8. EMPLOYEE ABSENCE FROM WORK AND TARDINESS

- A. No employee shall be absent from his/her regularly scheduled duties without prior authorization from his/her Supervisor or Department Supervisor Director or without notifying his/her Department Supervisor in cases of illness or emergency. Absence with failure to obtain prior authorization or failure to notify the Department Supervisor of an absence due to an excused reason Failure to obtain prior authorization to be absent from the work area, or to notify Supervisors of employee absence, may result in disciplinary action up to and including dismissal.
- B. An employee requesting time off for vacation, personal leave, administrative leave, leave of absence, or similar planned absence, must obtain **prior** approval as far in advance as possible from his/her Supervisor to ensure that departmental operations will not be impacted and that a sufficient leave balance exists to cover the absence.

It is the responsibility of Supervisors to verify requests for use of sick leave Paid Time Off. The Supervisor's responsibility in this process includes verifying that the employee has sufficient sick leave hours Paid Time Off to cover the absence. If the supervisor determines that the employee has an insufficient sick leave balance, vacation should not be routinely authorized to supplement short-term sick leave of one or two days. As a result, if an employee does not have sufficient sick leave Paid Time Off to cover an absence, the employee may be placed in a "no-pay" status. If this no-pay status results from misuse or abuse of sick leave, it is the Supervisor's responsibility to take appropriate disciplinary action.

- C. When an employee must be absent due to illness or circumstances beyond his/her control, it is his/her responsibility to notify the Supervisor prior to the start of his shift, if possible, but not later than one hour after the start of his/her shift. If an absence continues for more than one day, daily reports may be required. In the event of an extended, verified illness, the employee's Supervisor may modify the requirement for daily employee reporting. Extended absence (over one work week) due to the employee's illness or that of a family member must be reported to the Mayor by the employee's Supervisor to determine if Family and Medical Leave (FML) applies.
- D. If an employee is going to be late for work, he/she must notify the Supervisor prior to the start of his shift, or no later than one hour after the work shift commences.

Section 9. CALL BACK COMPENSATION

An employee called in to work when he or she has not been previously scheduled will be given a minimum of 2 hours' work or a minimum of 2 hours' pay at a pay rate of time and a half.

An employee called in to work before his or her normal shift and who continues working into his or her regular shift will not be considered to be called-back and will be paid only for all hours worked. If there is less than one hour between the time of completing the work for which he or she is called in early and his or her normal starting time, this time also will be considered as time worked.

Each employee is expected to work when called, unless excused for good and sufficient reason. The supervisor shall exercise reasonableness and fairness in administering the call-back policy. The hours paid for call-back will be credited toward hours worked in the week for overtime purposes.

Section 10. COMPLETION OF TIME SHEETS

- A. A pre-printed bi-weekly time sheet is used to report all time worked/paid. Entries must be made in ink.
- B. All corrections to an employee's time sheet must be initialed by the employee. The employee should "strike through" the error, make the correction, and initial it. No "white out" or erasures will be used on time sheets.
- C. All worked and compensated time (e.g., vacations, holidays, overtime, sick, personal, workers' compensation leave, etc.) must be entered on the time sheet and recorded under the appropriate pay code.

- D. Time sheets shall be signed by the employee and approved by the immediate ~~Supervisor and/or Department Supervisor~~ Director.
- E. Department Supervisors are responsible for monitoring employee time worked/ recorded, and verifying the authenticity and accuracy of employees' time sheets, and ensuring there are sufficient leave balances for benefits charged.
- F. Employees should address all questions regarding pay and time sheets to their Department Supervisors.

XII. EMPLOYEE BENEFIT PROGRAMS

Section 1. EDUCATIONAL ASSISTANCE PROGRAM

A. PURPOSE AND SCOPE

In order to maximize career potential of employees, the City encourages continued education through reimbursement for career-related courses. The intent of the educational reimbursement program is to provide encouragement for employees to improve their ability to perform their current jobs, to prepare them for positions of greater responsibility, and to enhance their commitment to their job and to the City. Full-time regular status employees are eligible to apply for educational assistance for college courses, training, or continuing education course(s), such as a certification program, correspondence course, or seminar, which will enhance an employee's present or future position with the City, in any career available in the City of Edgewood.

The Educational Funding Agreement Form is available in the City Clerk's office.

B. FUNDING

The Mayor or other person designated by the City Charter or other Code provision is responsible for the Educational Assistance reimbursement program and budget. All approvals/ reimbursements are contingent upon compliance with all requirements and availability of funds.

C. REIMBURSEMENT AMOUNTS/LIMITATIONS

1. Reimbursement will be paid for courses in which the grade is "C" or better; or "Pass" on a course which is "Pass/Fail," depending upon availability of budgeted funds. The reimbursement schedule is as follows:

Grade "C" -	50%
Grade "B" -	75%
Grade "A" -	100%
"Pass" -	75%

2. This program provides reimbursement for tuition fees and textbooks only. The cost of registration fees, laboratory fees, late fees, health fees, travel/mileage expenses, etc., is not covered.

3. Reimbursement will be paid in accordance with Internal Revenue Code regulations.

D. REPAYMENT REQUIREMENTS

An employee who resigns his/her position with the City less than one year following the date of reimbursement for course(s), must repay the City a prorated portion of educational expenses reimbursed by the City in the preceding twelve months. Proration will be based on the number of months worked beyond the date of reimbursement. If necessary, a deduction will be made from the employee's final paycheck.

Section 2. CONTINUING EDUCATION

In addition to the Educational Assistance Program outlined above, the City encourages employee training and development by budgeting funds for job-related courses for certification, licensure, etc. Regular status full-time employees may be released from duty with pay as authorized by their Supervisors to attend professional/technical training courses, seminars, professional association meetings, conferences, or similar training as may be determined to be in the best interest of the City. Authorization for part-time or probationary employees to attend training courses, conferences, or seminars is subject to prior approval by the Mayor. Authorization for employee travel and training is subject to prior approval of the Department Supervisor ~~Director~~ or Mayor, as set forth in the City's travel policy resolution as amended from time to time. Out-of-State travel for City business by any City employee requires prior approval of the Mayor.

Reimbursement for **approved** travel and training shall be in accordance with the City's travel policy resolution as amended from time to time, which is based in part upon regulations set forth in Florida Statutes, Section 112.061. Employees are required to complete the appropriate forms for prior authorization for travel related to City business and for travel advances and/or reimbursement of incurred expenses.

Section 3. EMPLOYEE RECOGNITION AND AWARDS PROGRAMS

PURPOSE AND SCOPE

The City recognizes that its employees are its most valuable resource and may establish programs to demonstrate its commitment to employees, such as:

- Recognition of special achievements by employees may be scheduled at City Council meetings.

- Annual service awards for regular status part-time and full-time employees.
- Other programs as authorized by the Mayor and/or City Council.

Section 4. GROUP INSURANCE/BENEFITS PROGRAMS

A. PURPOSE AND SCOPE

The City provides a program of benefits to provide employees and their dependents various group insurance products. Each employee selects the benefits which best meet his/her needs and the needs of dependents. An employee may waive "Employee" health insurance only if he/she submits documentation of **other qualified group (not individual or private) health insurance** (e.g., military insurance, retiree insurance from another employer, etc.) annually during the open enrollment period.

Additionally, the City allows full-time and part-time regular status employees to voluntarily participate in a Section 457 deferred compensation plan.

B. FUNDING

The City provides regular status full-time employees group health and life, insurance at no premium cost to the employee. The premium for dependent health insurance is partially funded by the City, with the remainder of the premium paid by payroll deduction from the employee's paycheck on a pre-tax or after-tax basis, as outlined below.

An employee who separates from service with the City (for any reason) during the first ninety (90) days of employment shall be required to reimburse the City for all insurance premiums paid by the City on behalf of the employee and/or his/her dependents.

C. BENEFITS/PRODUCTS

1. PRE-TAX (Withholding Tax and Social Security) BENEFITS

- Employee/Dependent Health Insurance.
- Employee/Dependent Dental Insurance.
- Employee Mandatory and Supplemental Life Insurance (premium on up to \$50,000 coverage is pre-tax).
- Other Pre-Tax Benefits allowed by Internal Revenue Code, Section 125.

2. PRE-TAX (Withholding Tax Only) BENEFITS

- Internal Revenue Code Section 457 Deferred Compensation Program.

3. AFTER-TAX BENEFITS

- Dependent Life Insurance.
- Employee Supplemental Life Insurance (for premiums for coverage limits allowed by the Internal Revenue Code).
- Short-term Disability Insurance.
- Long-term Disability Insurance.

D. COMMENCEMENT AND TERMINATION OF COVERAGE

Insurance coverage for all insurance programs shall begin as agreed to by the City and the insurer and shall be effective upon the date as provided in the policy issued by the insurer. ~~is effective on the first day of employment.~~ The City shall have full authority to determine the commencement date for any insurance coverages provided by the City. Late requests to add dependents (other than for qualifying events such as birth, adoption, or marriage) are subject to review and approval by the insurer. The addition of a dependent as a result of birth, adoption, or marriage must be within sixty days of the event and requires submittal of appropriate documentation; i.e., birth certificate or marriage certificate.

Insurance coverage terminates the last day of the month in which the employee separates from employment.

E. CONTINUATION OF GROUP INSURANCE/LIFE INSURANCE

The continuation provisions for group health, life, and other insurance programs for employees upon separation from service with the City are in accordance with any applicable statutes and/or the respective insurance policies, which are available in the City Clerk's office.

F. GROUP HEALTH AND LIFE INSURANCE FOR RETIREES

1. CONTINUATION PROVISIONS

Continued group health, dental, and life insurance for retirees is offered in accordance with the provisions of Florida Statutes, Section 112.0801, provided the service and normal retirement age requirements of the respective City pension/retirement programs are met. The retiree is responsible for payment of the premium for

his/her coverage and that of any dependents.

2. CONDITIONS AND LIMITATIONS

- a. An employee who retires based on disability prior to age/service eligibility for normal retirement may qualify for group health insurance continuation outlined in this policy.
- b. Group insurance continuation for retirees is provided **only** to retirees whose termination of employment is simultaneous with the commencement of City retirement benefits. A vested employee who terminates employment prior to eligibility for early or normal retirement is **not** eligible for the City's group insurance program at the time of his/her commencement of retirement benefits.
- c. Health insurance continuation for retirees is available until the retiree/dependent spouse becomes Medicare eligible, at which time participation in the City's plan will terminate.

3. LIFE INSURANCE CONTINUATION FOR RETIREES

An employee who retires from City service is eligible to apply for a life insurance private policy (guaranteed issue) with the City's insurance provider. The premium is solely the retiree's responsibility.

Note: The information outlined above regarding insurance programs is informational and not a guarantee of coverage/benefits, which are subject to the provisions of the various insurance policies and which may change from time to time.

Section 5. RETIREMENT PROGRAM

A. SCOPE

The City has elected to participate in the Florida Retirement System and eligibility, benefits, and rules for participation are as provided in Chapter 121, Florida Statutes.

B. FUNDING

The City contributes funding to the Florida Retirement System as provided in Chapter 121, Florida Statutes.

Section 6. TRAVEL AND OTHER OFFICIAL EXPENDITURES

PURPOSE AND SCOPE

Employees may be required, from time to time, to incur expenditures during the course of conducting City business and/or to use their personal vehicles for official reasons. The City reimburses expenses and mileage costs as outlined in the City's travel policy resolution, which is in accordance with Florida Statutes/Internal Revenue Code regulations (for mileage).

Section 7. UNIFORMS/CLOTHING ALLOWANCE

A. PURPOSE AND SCOPE

In order to ensure that the dress of employees in certain departments of the City is appropriate to their duties, meets safety standards, and addresses interaction with the public, City-provided uniforms may be required attire. City-issued uniforms and equipment are provided for employees to wear while performing their job duties and conducting City business. Failure to comply with this requirement may result in disciplinary action.

B. CARE OF UNIFORMS

Employees are responsible for laundering their City-provided uniforms.

C. CLOTHING ALLOWANCE

1. Certain Police Department personnel receive a clothing allowance in an amount determined by the City. The clothing allowance is paid monthly in the first paycheck of each month.

D. RETURN OF UNIFORMS AT SEPARATION

1. Upon separation from City service, employees are required to return uniforms, other than City-issued shirts with the City's logo. However, when a sworn law enforcement officer retires (simultaneous with separation) from the City, the officer may be authorized retention of his/her badge and service weapon. The retiring officer may purchase his/her service weapon at the fair market value at the time of retirement.

2. Certification of return of uniforms is noted by the department in which the employee works on the appropriate check-out form, in conjunction with other separation paperwork. The cost of uniforms that are not returned at the time of separation, as outlined above, will be deducted from the employee's final paycheck.

Section 8. LIGHT DUTY ASSIGNMENTS

A. PURPOSE AND SCOPE

It is recognized that there may be occasions when an employee is unable to perform his/her full-time and/or unrestricted duties due to a non-occupational (not workers' compensation) illness or injury. The City, solely at its discretion, may authorize the employee to work in a "light duty" status and/or a reduced work schedule, pending the employee's release to return to full-time, unrestricted duty.

B. CONDITIONS AND LIMITATIONS

1. An employee's request to work on a light-duty or reduced schedule basis must be approved by his/her Department Supervisor.
- 3.2. Evaluation of requests for light duty assignments will be based on factors including, but not limited to, the following:
 - the circumstances for the request (e.g., zero sick leave balance ~~as a result of documented sick leave abuse~~);
 - medical verification of likelihood of return to full-time, unrestricted duty within a reasonable time frame;
 - operational impact of the continued absence and unavailability for work;
 - availability of light duty or reduced schedule (i.e., the department does not have to "create" a position);
 - the interest of the City; and
 - other factors as may pertain to the specific request.
3. Generally, light duty or reduced schedule assignments will not exceed three months.

XIII. HOLIDAYS

Section 1. OFFICIAL HOLIDAYS

The following days shall be official ~~paid~~ holidays:

New Year's Day
Martin Luther King's Birthday
Presidents' Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day
Day Before or the Day after Christmas Day
Floating Holiday

The City Clerk's office publishes a holiday observance schedule each year, specifying the dates of holiday observances for the upcoming year.

Section 2. ELIGIBILITY FOR HOLIDAY PAY

- A.** All regular full-time employees are eligible to receive holiday pay if the observed holiday falls on a regularly scheduled work day. Part-time employees are **not** eligible for holiday pay. Temporary or seasonal employees (full-time or part-time) are **not** eligible for holiday pay.
- B.** To be eligible to receive pay for an observed holiday, an employee must not have been absent without approval on the work day before the holiday nor absent without approval on the work day after the holiday. Vacation taken the day before a holiday and the day after a holiday must be scheduled in advance. In the event an employee is absent due to illness the day before and/or the day after a holiday, the employee may be requested to furnish a statement from a physician to verify illness in order to receive holiday pay.
- C.** Employees on approved leave of any type **with pay**, including the paid portion of a Family and Medical Leave, but excluding paid Workers' Compensation leave, will receive straight time holiday pay for a holiday that occurs within any **paid** portion of the leave.

- D. Employees on any **unpaid** leave of absence, or who have received workers' compensation pay for the day of a holiday, are not eligible for holiday pay for any holidays occurring while in such status.
- E. Employees separating from employment for any reason must work a regularly scheduled work day immediately following the holiday to be eligible for holiday pay; i.e., the date of separation cannot be extended to the date of the holiday for payment of the holiday.

Section 3. HOLIDAY PAY

- A. Non-exempt employees who work on a holiday (day observed) will receive overtime (premium) pay for all hours worked, in addition to straight time holiday pay based on their regularly scheduled work day (i.e., an employee whose regular work schedule is five days/week, eight hours/day will receive eight hours straight time holiday pay).
- B. Exempt employees who work on a holiday (day observed) will receive straight-time pay for all hours worked, in addition to holiday pay received.

Section 4. HOLIDAYS FALLING ON WEEKENDS

Holidays falling on Saturday will normally be observed on the preceding Friday. Holidays falling on Sunday will normally be observed on the following Monday, as approved by the Mayor.

Section 5. HOLIDAYS OCCURRING ON SCHEDULED DAYS OFF

- A. If the holiday falls on a scheduled/regular day off, the employee will receive one day's pay based on his/her regularly scheduled work day at a straight-time rate **or** one day's leave with pay with the approval of the Department ~~Supervisor~~Director. If, in the opinion of the Department ~~Supervisor~~Director, it becomes necessary for an employee to work on a scheduled holiday which falls on his/her regular day off, the employee will be authorized overtime pay for non-exempt employees or straight-time pay for exempt employees for all hours worked on the holiday in addition to straight time holiday pay.
- B. If an observed holiday occurs during a scheduled vacation, the employee shall receive holiday pay and the holiday will not be charged to vacation leave.

Section 6. OTHER RULES GOVERNING HOLIDAYS

A. Floating Holidays

1. Full-time employees must have completed their initial (new hire) six months' probationary period in order to take a floating holiday. Temporary, seasonal, and/or part-time employees are not eligible for floating holidays.
2. The floating holiday must be taken within the time frames specified on the holiday schedule published each calendar year by the City Clerk's office. No employee shall be paid in lieu of time off for a floating holiday, nor can floating holidays be "carried over" past the annual deadline for usage. An employee who terminates employment prior to usage of the floating holiday shall not receive any payment for the floating holiday.
3. Requests for floating holidays must be submitted in writing and approved in advance by the employee's supervisor. Generally, the request must be submitted at least ten days in advance. Approval/disapproval of the date requested for the floating holiday shall be dependent upon operational requirements.
4. A floating holiday must be taken in its entirety; i.e., it cannot be taken as partial days/shifts.
5. Each department is responsible for monitoring usage of floating holidays, in the same manner as other absences from work.

B. General

1. Holidays, including floating holidays, shall be entered under the appropriate code on the bi-weekly time sheet.
2. Holiday schedules and holiday pay for represented employees are outlined in the respective collective bargaining agreements.

XIV. VACATION, SICK/PERSONAL LEAVE, AND OTHER LEAVES OF ABSENCE

Section 1. VACATION LEAVE

A. PURPOSE AND SCOPE

Vacation leave is an earned benefit to be used for rest and relaxation. All Department ~~Directors and Supervisors~~ shall make every effort to provide their respective employees the opportunity to utilize their vacation leave at least once a year to remove themselves from the work atmosphere for rest and relaxation in order to return to their jobs refreshed and ready to perform at their maximum efficiency.

B. ACCRUAL RATES FOR VACATION LEAVE

1. All full-time employees accrue vacation leave at the rates outlined in the schedule below. Part-time employees (not temporary or seasonal) accrue prorated vacation leave based upon their authorized work schedule.

YEARS OF SERVICE	ACCRUAL/PAY PERIOD	ACCRUAL/YEAR
Date of hire through 5 years	3.08 hours	96 hours
6 years through 10 years	4.61 hours	120 hours
11+ years through 15 years	6.15 hours	160 hours

2. Accrual rates for represented employees are outlined in their respective collective bargaining agreements.
3. Vacation leave accrues during any pay period in which an employee works or is compensated (e.g., while on vacation, sick leave, etc.).
4. Vacation leave does not accrue in any pay period that an employee is on a leave of absence, suspension, or other absence without pay for the entire pay period.
5. Vacation leave shall not be carried-forward from one year to the next nor shall the City pay an employee for any portion of accrued vacation leave that remains unused at the end of the year.
~~Maximum vacation leave limit is four hundred eighty (480) hours. When an employee's vacation balance reaches four hundred eighty (480) hours, no further accrual occurs until the employee uses some vacation leave.~~

C. ELIGIBILITY

Regular status full-time and part-time employees are eligible to take vacation leave after completing the new hire probationary period. Seasonal and temporary employees are not eligible for this benefit.

D. CONDITIONS AND LIMITATIONS

1. Vacation leave is a planned absence for rest and relaxation. Therefore, an employee ~~must~~ shall submit a written request and have **prior** approval from his or her Department Supervisor to utilize vacation leave. Approval of vacation requests will be based on factors including, but not limited to, operational needs and workload; employee seniority; timeliness of request; etc.
2. Vacation leave will not be routinely approved by call-in in lieu of sick leave for the date of absence; i.e., to supplement all or part of a single day/shift for which the employee has an insufficient sick leave balance.
3. Vacation leave is generally authorized for an entire shift or more. Accrued vacation may be authorized for extended absence for serious health conditions, if the accrued sick leave balance has already been exhausted, and other eligible reasons in accordance with the Family and Medical Leave.
4. Part-time employees may only request leave for normally scheduled hours of work.
5. It is the responsibility of Department Supervisors to verify that the employee has sufficient vacation leave for the requested period of vacation. Vacation leave will not be approved in advance of accrual earned. Additional unpaid time off work for vacation purposes impacts the operation of the City and shall be approved only in unusual and extenuating circumstances. Such approval is solely at the discretion of the Department Director and will be limited to one work week.
6. If no other accrued leave is available (i.e., sick leave, administrative leave), vacation leave may be used to supplement workers' compensation wage benefits provided the total income from the wage benefits and vacation used does not exceed 100% of an employee's regular gross pay.
7. No vacation leave which exceeds ten consecutive work days/work shifts (except when such vacation is taken in conjunction with an approved Family and Medical Leave) is allowed unless approved in advance by the Department ~~Director~~ Supervisor or Mayor.
8. In no event shall an employee be allowed to take vacation leave in conjunction with separation; i.e., to extend the separation date.

9. If an employee becomes ill or disabled prior to commencement of a scheduled vacation, the employee may reschedule his/her vacation subject to the approval of his or her Supervisor, but without priority over the already scheduled vacations of employees with less seniority.
10. Vacation leave pay shall be based on the employee's regular hourly rate of pay as of the time the vacation leave is taken.
11. The City does not allow vacation leave pay advances or advance payment of regular earnings for employees preparing to take vacation leave.

E. HOLIDAYS WHILE ON VACATION LEAVE

Holidays which occur during the period selected by the employee for vacation leave will not be charged against vacation leave accrual balances. The holiday will be charged against holiday leave regularly due the employee; i.e., the employee will not receive both holiday and vacation leave pay for the holiday.

F. DEATH IN FAMILY DURING VACATION LEAVE

When bereavement leave occurs within a vacation period, the vacation period can be extended to cover the additional days off with the appropriate amount of time charged to bereavement leave as authorized, or the vacation leave will be reduced accordingly, as requested by the employee.

G. PAYMENT OF VACATION LEAVE BALANCE UPON SEPARATION OR DEATH

Upon successful completion of the six month new hire probationary period, employees in authorized, budgeted part-time or full-time positions will be eligible for payment of accumulated vacation leave in cases of separation from City employment in good standing (layoff, resignation with proper notice, retirement). An employee who separates with less than six months' service, or who is terminated during or at the conclusion of the probationary period, fails to provide proper notice of resignation, or is discharged for cause, is **not** eligible for payment of accumulated vacation leave, unless specifically authorized by the Mayor.

In the event of a non-probationary employee's death, his/her beneficiary shall be paid for accumulated vacation leave.

Payment of accumulated vacation leave upon separation is considered earned income and is processed via the payroll system on the next regularly scheduled pay period subsequent to the employee's separation

Section 2. SICK/PERSONAL LEAVE

A. PURPOSE

Sick leave is a benefit provided by the City to be accumulated to protect employees in times of their own illness or the serious illness of certain family members.

B. ELIGIBILITY

All part-time and full-time employees in authorized, budgeted positions are eligible to accrue sick leave from the first month of employment. Seasonal and temporary employees are not eligible for this benefit.

C. SICK LEAVE ACCRUAL RATES

1. All full-time employees accrue sick leave at the rate outlined in the schedule below Part-time employees accrue **prorated** sick leave based upon their authorized work schedule.

WORK SCHEDULE	ACCRUAL/ PAY PERIOD	ACCRUAL/ YEAR	MAXIMUM ACCRUAL
40 hour/week	4.00 hours	104 hours	720 <u>280</u> hours

2. Accrual rates for represented employees are outlined in their respective collective bargaining agreements.
3. Sick leave accrues during any pay period in which an employee works or is compensated (e.g., while on vacation, sick leave, etc.).
4. Sick leave does not accrue in any pay period that an employee is on a leave of absence, suspension, or other absence without pay for the entire pay period.

D. AUTHORIZED USES OF SICK/ PERSONAL LEAVE

1. Regular status full-time and part-time employees are eligible to use sick/personal leave after completing the new hire probationary period. Seasonal and temporary employees are not eligible for this benefit.
2. Sick leave may be used for the following reasons:
 - Legitimate illness of employee; serious illness of employee's spouse, child(ren), foster child(ren), parent/parents in-law, brother, sister, or other relative as approved by the

Department Director, depending upon the relationship and circumstances.

- Non-job related accident/injury preventing performance of employee's duties; or to supplement Workers' Compensation wage benefits in the event of a compensable on-the-job injury/accident, provided the combined income from Workers' Compensation wage benefits and sick leave does not exceed 100% of regular gross pay.
- Medical, dental, psychological, optical, chiropractic appointment, treatment, or examination of employee or employee's spouse, child (ren), or parent, or other relative as approved by the Department Director, depending upon the relationship and circumstances.
- Additional bereavement leave.
- Family and Medical Leave.

3. COMPUTING SICK/PERSONAL LEAVE

The minimum charge for sick/personal leave is .25 hour; additional charged time will be to the nearest .25 hour increment.

E. PROOF OF ILLNESS AND NOTIFICATION REQUIREMENTS

1. It is the employee's responsibility to personally notify his or her Supervisor (unless incapacitated) prior to or no later than one hour after the beginning of the work shift if the employee will be absent due to illness. Unless the employee receives prior authorization, as in the case of an extended, verified illness or an approved Family and Medical Leave due to illness, it is the employee's responsibility to report in this manner for each day of absence due to illness, unless daily notification is waived by his or her Supervisor.
2. An employee who is absent from work for more than three work days/shifts due to illness, who has any type of surgery/medical procedure, shall be required to provide a physician's release verifying fitness for duty **prior to** return to work. Employees may be required to provide medical verification of the need for sick leave absence as determined by Supervisors in order to receive sick leave benefits. The physician's statement shall also include verification that the employee is able to return to work or is able to return to work with restrictions. If requested verification is not received by the due date for time sheets, the absence will be unpaid. A physician's statement may also be required for employees who:

- a. take excessive sick leave, either on separate days or on continuous days in any given time period;
- b. demonstrate a pattern of absenteeism;
- c. call in sick on a day or days when vacation leave was denied;
- d. take sick leave as soon as it is accrued (i.e., one day at a time as soon as it is earned); or
- e. are frequently absent the day before and/or the day after a scheduled day off or a holiday.

Department ~~Directors~~ Supervisors may require medical verification of the need for sick leave at any time.

Sick leave charged following an employee's notice of resignation and occurring prior to the date of separation must be verified by a physician's statement certifying the illness in order to be compensated.

- 3. Frequent and/or excessive absences charged to sick leave without medical verification, or with medical verification but which hinders operations, impedes work flow, or creates other adverse operational impact; evidence of malingering; a pattern of sick leave usage (e.g., Mondays, Fridays); use of sick leave for false claims of illness or injury; falsification of proof to receive payment of sick leave; and/or failure to comply with rules and regulations governing sick leave; may result in denial of sick leave pay and/or disciplinary action, including dismissal.
- 4. Department Supervisors are responsible for determining that sick leave is properly authorized and used in accordance with these policies. Therefore, Department Supervisors are authorized to make any investigation of employee usage of sick leave benefits deemed necessary and payment will not be made for claims not properly substantiated.

F. HOLIDAYS WHILE ON SICK LEAVE

Holidays which occur during a period in which the employee is absent on approved sick leave shall not be charged against sick leave. The holiday will be charged against holiday leave regularly due the employee; i.e., employees will not receive both holiday and sick leave pay for the holiday.

G. DEATH IN FAMILY WHILE ON SICK LEAVE

When bereavement leave occurs while an employee is on approved sick leave, the time off work for bereavement purposes will be charged to bereavement leave as authorized.

H. PAYMENT OF SICK LEAVE UPON SEPARATION OR DEATH

1. The following provisions apply to payment of accumulated sick leave upon termination, retirement, or death.

Employees who terminate employment with the City in good standing (resignation with proper notice, layoff) will be paid 25% of accrued sick leave sick leave balance.

Upon retirement from employment with the City or death of the employee, 50% of accrued sick leave sick leave balance will be paid.

Employees who are discharged for cause/misconduct are not eligible for payment of sick leave.

2. The use of sick leave to extend the employee's separation date is prohibited. Payment of accumulated sick leave upon separation is considered earned income and is processed via the payroll system on the next regularly scheduled pay day subsequent to the employee's separation.

Section 3. ADMINISTRATIVE LEAVE

A. PURPOSE

Administrative leave is a benefit provided by the City to exempt employees to recognize that, by the nature of the executive, managerial, or professional position, time worked in addition to the regular work week/schedule may be required. There is no statutory provision that requires any type of compensation for such additional worked time by exempt employees. The City, however, provides administrative time off for exempt employees, approved in advance, for the purpose of an "occasional day off."

B. ELIGIBILITY

All full-time exempt employees, including probationary exempt employees, in authorized, budgeted positions are eligible to receive administrative leave. Seasonal, temporary, and part-time employees are not eligible for this benefit.

C. CONDITIONS AND LIMITATIONS

1. Exempt employees are authorized administrative leave for the purpose of an occasional day(s) off work. Administrative leave must be taken in full workday increments only.
2. Administrative leave is not payable upon separation from employment and

cannot be carried over from one fiscal year to the next fiscal year.

3. Requests for administrative leave must be approved in advance by the Mayor ~~Supervisors~~.

Section 4. BEREAVEMENT LEAVE

- A. Regular status full-time employees are eligible for bereavement leave with pay in the event of the death of an immediate family member. Immediate family includes spouse, legal guardian, and the following biological, adoptive, or "step" relatives: child(ren), spouse of child (ren), parents, brothers, sisters, grandparents, grandchild (ren) of both the employee and the employee's spouse, or other dependents living in the employee's household.

Part-time, temporary, and seasonal employees are not eligible for bereavement leave with pay.

- B. Up to **five scheduled work days** will be granted to regular status full-time employees upon request; documentation of the death/relationship may be required. If more than the authorized days is needed, in the case of a death out of state, the additional days may be charged to accrued sick or vacation leave balances. Bereavement leave for persons other than immediate family members may be granted subject to approval by the Department Supervisor ~~Director~~ and may be charged to accrued leave as specified above.
- C. Authorized bereavement leave is entered on the time sheet with the appropriate pay code.
- D. Supporting documentation of the death (e.g., newspaper obituary, death certificate, etc.) and documentation of immediate family relationship may be required by Department Supervisors in order for the employee to receive this benefit.
- E. In the event of the death of a current or retired City employee or elected official, the City encourages employees to attend local funeral or memorial services. An employee may be released by Department Supervisors to attend services if his/her absence will not impact routine work operations. The number of hours authorized to attend the service will be specified by Department Supervisors (generally not to exceed four hours, ~~unless specifically extended by the Department Director~~) and is recorded as regular work hours on the employee time sheet. No overtime will be paid to attend these services.
- F. Provisions governing bereavement leave for represented employees are outlined in their respective collective bargaining agreements.

Section 5. JURY DUTY/WITNESS LEAVE

A. EMPLOYEES SERVING ON A JURY

1. Regular full-time and part-time employees who are summoned for jury duty on a regularly scheduled work day will be granted time off for jury service. It is the employee's responsibility to notify his or her Department Supervisor as soon as the jury service summons is received and to submit a copy of the jury summons to his or her Department Supervisor and to keep his or her Department Supervisor apprised of continuing jury service on a daily basis.
2. Provided that the employee assigns to the City all monies received from the court for jury service, Employees he/she will be paid their his/her regular earnings (for the regularly scheduled workdays/paid holidays during this period) up to a maximum of two weeks of absence jury service. If jury duty continues beyond two weeks, the employee may use his/her accrued vacation to supplement monies received from the court for jury service. The employee shall not be eligible for reimbursement by the City for any meals, lodging, travel, or other expenses incurred while serving as a juror.
3. If the employee is excused or released from jury duty, he/she is required to report to his/her regular City employment provided that at least four hours remain in his regular work day/shift. The employee must report to work within one-and-one-half hours of the time released from jury duty.
4. Upon release from jury duty service, employee must provide proof of release (showing dates/times of service) to his or her Supervisor.

B. SERVING AS A WITNESS ON BEHALF OF THE CITY

1. An employee called as a witness or representative in any legal proceeding on behalf of the City (e.g., workers' compensation hearing, civil or other court cases, grievance or arbitration hearing, etc.) will be considered "on-duty" and will be in a full-pay status including overtime, if applicable. The employee will be eligible for meal and travel expenses reimbursement in accordance with the City's policy. Since the employee is in a full-pay status, all monies received from the court and/or attorney(s) for witness fees, mileage, etc., must be remitted to the City. If the employee elects to retain the court and/or attorney fees, he/she will forfeit any remuneration by the City. Employees who appear for only a portion of a regularly scheduled work day are expected to return to their work site after being excused or released from the proceeding.

2. Time spent in court appearances as outlined in this section is recorded as regular hours worked on the time sheet and is considered time worked for the purpose of determining overtime pay.
3. Employees (e.g., sworn police officers) required to appear in court or other proceedings on behalf of the City while on scheduled vacation or other authorized paid leave shall not be charged such leave for the appearance time upon presentation of the required documentation.
4. An employee who appears in court as a witness, plaintiff, or defendant due to personal litigation, or as a witness against the City, or for criminal charges, or whose appearance is voluntary shall be required to use accumulated vacation leave for any such absence from work, or be unpaid.

Section 6. WORKERS' COMPENSATION LEAVE

A. PURPOSE AND SCOPE

The City provides workers' compensation coverage for all part-time and full-time employees, including probationary, temporary, and seasonal employees on the City's payroll, in accordance with Chapter 440, Florida Statutes. Accordingly, eligibility, coverage, and benefits are pursuant to Chapter 440, Florida Statutes. All cases of accident or injury occurring on the job shall be reported immediately to Supervisors in accordance with statutory provisions. Medical treatment shall be authorized at facilities designated by the Workers' Compensation insurer for all injuries other than injuries requiring only first aid.

There shall be no retaliation against any employee for filing a claim for a legitimate on-the-job injury.

B. ELIGIBILITY

1. An employee who sustains a compensable on-the-job injury and who is determined by competent medical authority to be temporarily, totally disabled from performing his/her duties are permitted to use accrued sick and/or vacation leave for any absence not reimbursed by workers' compensation insurance.
2. Employees who supplement the wage benefits received from workers' compensation with accumulated sick and/or vacation leave are allowed to do so to the extent that the combined income from City leave benefits and workers' compensation wage benefits does not exceed 100% of regular gross pay.

In the event that absence continues to the point that the employee receives wage reimbursement for any statutorily designated "waiting period" before the commencement of wage reimbursement, the employee shall be required to reimburse the City for the sick/vacation leave paid and the employee's sick/vacation leave balance will be credited accordingly.

3. Seniority will continue to accumulate during the period of absence due to a workers' compensation injury. Continued employment is not guaranteed to employees on extended absence from work due to their injury/accident, other than pursuant to Family and Medical Leave provisions. Depending on the circumstances, medical verification of likelihood of return to full-time, unrestricted duty within a reasonable time frame, operational impact of the continued absence and unavailability for work, the interest of the City, and other factors, a determination may be made that the City is unable to authorize continued leave, and the employee may be terminated, or continued leave may be authorized.
4. Injured employees may be required to be examined by a medical authority, provided by the City, who shall determine the employee's condition and fitness for return to full-time, part-time, and/or restricted duty.

C. MODIFIED DUTY (RETURN TO WORK PROGRAM)

An employee will be returned to modified duty following an on-the-job accident, in his/her own department or any department of the City, with no reduction in pay, based on medical verification of ability to perform the modified duty. The employee's salary while on modified duty will be paid by his/her department even if he/she is temporarily assigned to another department for the purpose of modified duty. An employee who is working on authorized modified duty will receive regular pay (i.e., no leave benefits will be charged) for absence of less than one workday for medical appointments related to the on-the-job injury provided the employee has submitted documentation of the necessity for the appointment, has arranged to be excused from work in advance by his or her Supervisor, and provided the employee is at work prior to and/or after the appointment.

In the event that an employee is absent for an entire workday for a medical appointment, the employee will not be paid regular pay, but may file for wage loss benefits, if eligible, or may request to be paid sick leave.

Employees assigned to modified duty will continue the assignment until:

- released to return to unrestricted duty in his/her regular position;
- the employee has reached maximum medical improvement; or

- has been determined to have a permanent total disability rendering him/her unable to perform the essential functions of his/her regular position and is terminated.

If an employee released for light duty refuses to accept light duty, the employee will be required to use his/her accumulated leave and/or be placed on Family and Medical Leave.

Section 7. FAMILY AND MEDICAL LEAVE (FML)

A. PURPOSE

The City offers leaves of absence to employees for their own illness or for certain family members' serious illness, and birth/adoption of a child, in accordance with the provisions of the Family and Medical Leave Act (FMLA) of 1993. Written requests for Family and Medical Leave (FML) are made to Supervisors at least thirty (30) days prior to foreseeable events, and as soon as possible for unforeseeable events. The provisions of the FMLA and related City provisions are outlined below.

B. ELIGIBILITY

1. A regular status part-time or full-time employee must have been employed by the City for at least twelve months and have worked at least 1,250 hours during the twelve months preceding the request for leave in order to be eligible for the leave benefits provided by the Family and Medical Leave Act.
2. An eligible full-time employee is eligible for a total of twelve work weeks of leave time (e.g., 480 hours for employees whose schedule is forty hours/week) during any twelve-month period commencing as of the date the leave begins. Part-time employees who have worked at least 1,250 hours in the twelve months preceding a request for leave are eligible for a total of twelve weeks with the total number of hours available based on their scheduled work week (i.e., a part-time employee whose scheduled work week is thirty hours/week is eligible for 360 hours of leave). Temporary and seasonal employees are not eligible for Family and Medical Leave.
3. Family and Medical Leave may be approved on an intermittent or non-intermittent basis, depending on the circumstances, for the following reasons:
 - caring for spouse, child(ren), or employee's own parent(s) with a serious health condition;

- the serious health condition of the employee; or
- birth, adoption, or foster care placement of child(ren) in order to care for such child(ren).

C. DEFINITIONS

1. **As soon as practicable** -- means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case. For foreseeable leave where it is not possible to give as much as thirty days notice, "as soon as practicable" ordinarily would mean employee notification to the Supervisor within one or two business days of when the need for leave becomes known to the employee.
2. **Child(ren)** -- biological, adopted or foster child(ren), step-child(ren), legal ward(s), or child(ren) of a person standing "in loco parentis," who is under 18 years of age; or 18 years of age or older but incapable of self-care because of a mental or physical disability.
3. **Continuing treatment** -- by a health care provider means one or more of the following:
 - the employee or family member is treated two or more times for the injury or illness by a health care provider or by a provider of health care services under direction of a health care provider;
 - the employee or family member is treated by a health care provider on at least one occasion and is given a regimen of continuing treatment under the supervision of the health care provider;
 - the employee or family member is under the continuing supervision of a health care provider for a long-term or chronic condition or disability which cannot be cured.
4. **Foreseeable Family and Medical Leave** -- means leaves for birth, adoption, foster care, or planned medical treatment. The City requires employees to give at least thirty (30) days notice, in writing, if possible and practical, for a foreseeable Family and Medical Leave.
5. **Health care provider** -- means any of the following licensed or certified professions: a doctor of medicine or osteopathy, podiatrist, dentist, clinical psychologist, chiropractor (limited to treatment consisting of

manual manipulation of the spine to correct sublimation as demonstrated by x-rays to exist), nurse practitioner and nurse midwife, and Christian Science practitioners listed with the First Church of Christian Science in Boston, Massachusetts. If an employee relies on a Christian Science practitioner, the City may require a second opinion from a medical doctor.

6. **Incapable of self-care** -- means the individual requires active assistance or supervision to provide daily self-care in several of the activities of daily living, including: grooming, hygiene, bathing, dressing, eating, taking public transportation, maintaining a residence, etc.
7. **"In loco parentis"** -- includes those with day-to-day responsibilities to care for and financially support a child or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.
8. **Parent** -- the biological or adoptive parent of an employee or an individual who stood "in loco parentis" to an employee when the employee was a child. Parents of a spouse are not included.
9. **Reduced leave schedule** -- a leave schedule that reduces an employee's usual number of hours per work week or hours per work day.
10. **Serious health condition** -- an illness, injury impairment, or physical or mental condition that involves **inpatient** care at a hospital, hospice, or residential medical care facility, or **continuing care** for more than a few days by a health care provider. The employee shall be required to provide certification from a health care provider documenting the existence of a serious health condition.
11. **Spouse** -- husband or wife of the employee.
12. **Unforeseeable Family and Medical Leave** -- occurs when the need for leave, or its approximate timing, is not foreseeable. The City requires employees to give notice as soon as practicable based on the facts and circumstances of the particular case, within no more than one or two work days of learning of the need for leave, except in extenuating circumstances, such as a medical emergency.

D. EMPLOYEE BENEFITS

1. An employee granted leave under the provisions of this policy and the Family and Medical Leave Act shall be returned to the position previously held or an equivalent position with equivalent benefits, pay, seniority, and

other terms and conditions of employment provided the total period of leave does not exceed twelve (12) weeks.

Employees whose salaries are in the top 10% of the City's work force who are granted leave shall have no guarantee of reinstatement to an equivalent position. Consideration for reinstatement will be based on operational requirements.

2. Health, dental, and other insurance coverage including any voluntary insurance benefits and life insurance will be continued during the period of the leave (paid and unpaid leave time) at the same level as in force at the beginning of the leave. The employee is responsible for payment of his/her share of dependent health, dental, and life insurance premiums and any voluntary insurance premiums.

Employees whose salaries are in the top 10% of the City's work force granted leave under this section shall receive all applicable group insurance benefits for up to twelve (12) weeks of approved leave, regardless of whether or not reinstated to an equivalent position.

3. Employees who terminate employment due to inability to return to work at the conclusion of a twelve (12) week leave are eligible to elect health insurance continuation in accordance with Florida Statutes.

E. PROCEDURES AND EMPLOYEE RESPONSIBILITIES

1. When the necessity for leave under this section is due to the serious health condition of the employee or eligible family member or is foreseeable based on an event such as birth/adoption of a child, it shall be the employee's responsibility to:
 - a. Submit a written request including any medical verification of the need for the leave and expected duration of the leave, to his/her Supervisor/Department Director for consideration.
 - b. Make reasonable efforts to schedule treatment/ care in order to minimize disruption to work operations.
 - c. Provide at least thirty (30) days' notice prior to commencement of the leave for foreseeable circumstances, except that if planned treatment/care is required in less than thirty (30) days, the employee shall provide such notice as is practicable.
2. Following approval of the leave by the Department Director , the employee will sign an approved Leave of Absence memorandum

indicating his/her concurrence with the conditions outlined, including arrangements for payment of insurance premiums which may be the employee's responsibility.

3. Prior to return to work, the employee shall provide written notice to the Department Director of the anticipated date of return to work, accompanied by medical verification (in the case of employee's own serious health condition) from the treating physician of ability to return to work.

F. CONDITIONS AND LIMITATIONS

1. Unpaid leave under this section will be authorized **only** after the employee has exhausted all available and eligible paid leave (sick, administrative, vacation). Employees who have sick, administrative, and vacation leave, time available shall be required to use all available paid leave which is a permitted use prior to leave without pay. Such paid leave time is included along with unpaid leave time in the calculation of the total of twelve work weeks within a twelve-month period.
2. In the case of two City employees who are married, Family and Medical Leave for the birth, adoption, or foster care placement of a child is limited to a combined total for both spouses of twelve weeks of leave. This combined twelve weeks limitation does not apply to leaves for married employees for serious health conditions of the employee, child, or parent.
3. Leave, under the provisions of this section, cannot be taken intermittently or on a reduced leave schedule unless agreed to and approved by the Department Director, based on certification as medically necessary and/or based on operational considerations. The City may temporarily transfer an employee on authorized intermittent or reduced schedule leave to a position more suitable to recurring periods of absence to better accommodate the leave schedule. The employee's wages and benefits will remain the same as prior to the temporary transfer.
4. When leave is to be taken due to the serious health condition of the employee or an eligible family member or when leave is to be taken on an intermittent or reduced leave schedule due to medical necessity, certification from the health care provider will be required. The City reserves the right to require, at the City's expense, the opinion of a second health care provider designated or approved by the City. Should the first and second opinions conflict, the City reserves the right to require the opinion of a third health care provider, at City expense, designated or approved jointly by the City and the employee. The opinion of the third

health care provider shall be final. To be sufficient, the certification must state:

- the date on which the serious health condition commenced.
 - the probable duration of the condition.
 - the appropriate medical facts within the knowledge of the health care provider regarding the condition.
5. During any unpaid portion of Family and Medical Leave, no sick/vacation will accrue, nor will the employee receive any holiday pay.
 6. Continuous service credit will continue during the period of approved Family and Medical Leave (paid and unpaid portions).
 7. Employees are prohibited from accepting new employment while on approved FML.
 8. Inability/failure to return to work at the expiration of the twelve week period may result in termination of employment.

Section 8. MILITARY LEAVE

A. ANNUAL MILITARY LEAVE FOR RESERVES AND NATIONAL GUARD TRAINING

1. Employees (full-time, part-time, and temporary employees who are on the City's payroll) who are members of the Florida National Guard or other military reserve units who are duly ordered by their commanding officer to engage in active duty, field exercises, or other annual training shall be entitled to a leave of absence with pay from their respective duties up to seventeen (17) work days in any annual period, in accordance with Florida Statutes, Chapter 115.
2. Each shift of twelve hours or less equals one working day leave for military training. All shifts over twelve hours and up to twenty-four hours shall equal two working days leave for military training.
3. Official orders shall be presented to Supervisors prior to the time the leave begins, and a copy of the official orders will be included in the employee's personnel file. The employee shall be in a full-pay status during the authorized time periods outlined above; all monies earned from the

military while on active duty will be in addition to regular earnings from the City.

4. If the employee's annual military training exceeds seventeen (17) work days per calendar year, the employee may charge the additional time to allowable personal leave, vacation, or leave without pay. Administrative leaves of absence for additional or longer periods of time for assignment to duty functions of a military character shall be granted to employees without loss of time or efficiency rating, pursuant to F.S. 115.07.
5. Continuous service credit will accumulate during such annual military training absence for all employee benefits, including retirement.

B. LONG-TERM MILITARY LEAVE

1. PURPOSE AND SCOPE

In accordance with the Uniformed Services Employment and Re-employment Rights Act of 1994, and applicable Florida Statutes, the City grants unpaid military leave of absence and provides re-employment rights and benefits to employees granted such leave. Leave of absence under this section is available to full-time employees, but not to part-time, temporary, or seasonal employees.

The provisions of this policy governing unpaid long-term military leave are intended to meet or exceed the minimum requirements of the Uniformed Services Employment and Re-employment Rights Act, any applicable state law, and/or local City ordinance. To the extent that this section may not meet the minimum standards of applicable statutes, as they may be amended from time to time, the minimum statutory standards shall apply.

In the case of an employee who is called to active military services, as defined in F.S. 115.08, from reserve status (not a voluntary enlistment), the employee shall receive his/her regular salary for the first thirty (30) calendar days of leave, in accordance with Florida Statutes.

2. DEFINITIONS

Uniformed Services - means the Navy, Coast Guard, Marines, Army, Air Force, Army National Guard, International Guard, the Commissioned Corps of the Public Health Service, and any other category designated by the President in time of service or emergency.

Service in the Uniformed Services - means the performance of duty on a voluntary or involuntary basis in a uniformed service and includes active duty for training, inactive duty training, full-time National Guard duty, and a period for

which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty.

3. APPLICATION FOR LEAVE

An employee requesting leave for a long-term tour of military service shall provide advance verbal or written notice to the City of such service unless such notice is not required under circumstances outlined in the Uniformed Services Employment and Reemployment Rights Act of 1994. A copy of official orders or other military certificate will be provided to the City for inclusion in the employee's personnel file.

4. GROUP INSURANCE CONTINUATION

The employee will be provided the appropriate forms for application for continuation of the existing group health and dental insurance, in accordance with applicable provision.

5. EMPLOYMENT AND BENEFITS REINSTATEMENT PROVISIONS

- A. Upon release from military service, the employee shall be reinstated to the same or comparable position, as required by law, provided the employee:
- notifies the City, within the time frame following date of release from military duty, as outlined in the Uniformed Services Employment and Re-employment Rights Act of 1994, of desire for reinstatement and has no intervening employment, and
 - was released from military service under honorable conditions.
- B. Upon reinstatement, the employee is entitled to resume all seniority based benefits, including service credit for the period of unpaid leave, rate of pay, and vacation accrual rate. Additionally, the reinstated employee shall have all sick leave which was not paid to the employee upon separation at the time military duty commenced restored to his/her sick leave account. Reinstatement in the applicable retirement plan shall be in accordance with the provisions of federal and state statutes and the governing pension ordinance.
- C. Group health, dental, and life insurance will be reinstated as though coverage had not lapsed; i.e., no exclusions for pre-existing conditions, no waiting period, no late enrollment application, etc.

Section 9. OTHER UNPAID LEAVES OF ABSENCE

Other unpaid leaves of absence may be authorized, generally not to exceed three months (and in no case will such leaves exceed one year) depending on factors including, but not

limited to: circumstances involved, employee's tenure and overall work record, operational impact, etc. Such leaves, if granted following submittal of the employee's written request for leave, shall be solely at the discretion of the City and shall require the prior approval of the Department ~~Director~~ Supervisor and/or Mayor.

Health, dental, and other insurance coverage, including any voluntary insurance benefits and life insurance, may be continued during the period of the leave at the same level as in force at the beginning of the leave. The employee is responsible for payment of his/her share of dependent health, dental, and life insurance premiums and any voluntary insurance premiums. Continuous service credit will not accrue during an unpaid leave of absence granted under this section. Accordingly, upon return to work, the employee's service date will be adjusted to reflect the time off the payroll.

XV. DISCIPLINARY ACTIONS

Section 1. POLICY AND PURPOSE

It is the intent of the City of Edgewood to avoid most matters which necessitate disciplinary action through effective supervision and good employee-employer relations. To accomplish this objective, the City encourages, to the fullest degree, employee behavior which is positive and supportive of the goals of the City. The purpose of the rules outlined in this section and the disciplinary actions for violation of the rules is to ensure the rights of all employees and to secure cooperation and order in the workplace.

It is management's responsibility to ensure that all employees are informed of, and comply with, these policies.

The purpose of this section is to provide an effective supervisory tool which can modify inappropriate employee behavior, generating opportunities for success rather than failure, when supervision communicates consistently, and fairly applies reasonable work standards to employee behavior.

Disciplinary action should be taken when cause occurs. Generally, employee misconduct should be dealt with by use of a progression of disciplinary actions. However, in recognition of the fact that each instance differs in many respects from somewhat similar situations, each occurrence should be treated on an individual basis.

All disciplinary actions should be discussed with the employee involved in a private setting. It is the responsibility of Department Supervisors to counsel the employee and outline steps to correct the performance and/or behavior. Other than verbal counseling, all disciplinary action taken shall be provided to the employee in a written notice of disciplinary action. This notice will ensure that the employee is made aware of the seriousness of violating rules, regulations, and procedures and the need to conduct himself/herself in a manner which does not discredit the City.

Section 2. RULES, VIOLATIONS, AND DISCIPLINARY ACTIONS

A. GENERAL INFORMATION

Causes for disciplinary action are divided into three categories: *minor* offenses, *major* offenses, and *dismissal* offenses. Disciplinary actions, depending upon the circumstances, may include, but are not limited to:

- ~~verbal reprimand;~~
- written reprimand;
- suspension;
- termination.

The disciplinary actions which follow are guidelines. It is understood that the guidelines are not all inclusive because circumstances may vary in

individual cases. Management must give serious consideration to the nature of each offense and take appropriate disciplinary action. The examples listed below represent typical grounds for disciplinary actions leading up to and including dismissal, and are not intended to be all inclusive. Penalties for offenses not listed will be prescribed consistent with offenses of comparable gravity. Violations do not have to be identical in nature in order to proceed to the next level of progressive discipline. Penalties for disciplinary offenses should normally fall within the suggested range; however, these ranges are merely guides and are not intended to limit the right of management to determine what constitutes an appropriate penalty. Depending on the nature of the offense, the past record of the employee, and/or extenuating circumstances, a more severe penalty, a lesser penalty, or a penalty outside of the range may be imposed. In the case of a dismissal offense, the minimum penalty for a first offense will be suspension without pay.

B. MINOR OFFENSES

1. Lack of cleanliness in the work area.
2. Selling or soliciting, or distributing literature, on City property without prior authorization.
3. Failure to obtain approval prior to engaging in outside employment or business activity.
4. Failure (one time) to report absence from work in a timely manner to the immediate Supervisor/designee. (Call-in times in this rule may be adjusted in each work location to comply with operational requirements. Employees shall be informed by Supervisors of specific requirements.) Lack of a telephone in employee residence does not relieve employee of responsibility for notification.
5. Occasional and/or minor neglect, carelessness, or disregard of common/accepted safety practices.
6. Any act of carelessness/negligence which results in a failure to complete assigned tasks or responsibilities in a timely and/or satisfactory manner.
7. Careless work habits or negligence which results in **minor** damage to equipment and/or tools or which results in waste of materials and/or supplies.
8. Occasional substandard work quality.

9. Loafing, neglect of duties, or otherwise wasting work time.
10. Use or possession of another employee's working equipment without the employee's consent.
11. Occasional unexcused tardiness.
- ~~12. Smoking or using tobacco products during working hours.~~
- ~~13~~12. Unauthorized removal of notices or signs from City bulletin boards.

C. RANGE OF DISCIPLINARY ACTIONS FOR MINOR OFFENSES

1. First Offense - ~~Verbal counseling up to w~~ Written reprimand.
2. Second Offense - Written reprimand up to three days' suspension without pay.
3. Third Offense - Suspension without pay for up to five days.
4. Fourth Offense - Subject to discharge.

D. MAJOR OFFENSES

1. Leaving the job during working hours without permission from a Supervisor.
2. Absence without approved leave or failure to report to work after leave has been disapproved, revoked, or canceled.
3. Hindrance of operations because of frequent or excessive absenteeism or tardiness; ~~pattern of sick leave abuse (e.g., taking sick leave one day at a time as it accumulates; sick leave taken prior to or following other authorized days off work, etc.); inability/failure to provide requested medical verification for absence charged to sick leave. This does not include authorized Family and Medical Leave or other approved leave for medical reason.~~
4. Frequent or excessive absence from work, with or without medical verification, which impedes work flow, inhibits operations, and/or creates other operational impact.

5. Failure to report for overtime work without good reason after being scheduled to work.
6. Failure to report a personal injury, equipment damage, or vehicle accident immediately to a Supervisor.
7. Careless use of City property, equipment, tools, or vehicle resulting in personal injury to a co-worker or a citizen, or resulting in other than minor damage to property owned by the City, another employee, or a citizen.
8. Excessive number of personal injury or vehicle accidents or an accident resulting in injury, due to carelessness, neglect, or disregard of safety practices.
9. Continued or deliberate violation of safety rules resulting in personal injury, lost time, and/or equipment/vehicle damage or refusal to use required safety equipment (e.g., seat belts, protective devices, etc.).
10. Sleeping during working hours.
11. Malicious mischief, horseplay, wrestling, or other undesirable conduct in the workplace.
12. Gambling on City property.
13. Loss of or damage to City tools, supplies, equipment, or property through carelessness or negligence.
14. Conduct which is considered disrespectful, or the use of insulting, abusive or obscene language to or about fellow employees or the public.
15. Operation of any City owned vehicle or equipment while under the influence of any legal drug/medicine which causes drowsiness or other physical or psychological impairment.
16. Violation of departmental rules, regulations, policies, or standard operating procedures, etc.

E. RANGE OF PENALTIES FOR MAJOR OFFENSES

1. First Offense - Written reprimand up to three days' suspension without pay.

2. Second Offense - Suspension without pay for up to five days.
3. Third Offense - Subject to discharge.

F. DISMISSAL OFFENSES

Reasons for dismissal of an employee may include, but are not to be limited to, the following:

1. Fighting, threatening, intimidating, coercing or otherwise interfering with the rights of other people or other conduct detrimental to morale and discipline in the workplace.
2. Improper or unauthorized use or sale or misappropriation of City property, vehicles, and/or equipment for personal use, personal gain, or for any other reason.
3. Deliberate misuse, destruction, or damage to any City property or the property of another person.
4. Failure to return to work upon expiration of approved leave of absence.
5. Abandonment of position by being absent from duty for three consecutive work days without notification and/or proper authorization.
6. Insubordination by refusing to perform assigned work or to comply with an official and legal supervisory directive, or by demonstrating an antagonistic, disrespectful, or belligerent attitude toward management.
7. Violation of a safety rule, regulation, or policy resulting in someone's death or serious injury or which could have resulted in someone's death or serious injury.
8. Deliberate falsification of official reports, documents, records, correspondence pertaining to the City including, but not limited to, employment application and credentials, time sheet, travel expenses, accident reports, or other documents; or violation of any other public trust.

9. Indictment, Conviction or a Preponderance of Evidence Involving Criminal Activity~~Commission or guilt of any felony crime or a misdemeanor involving immoral conduct.~~
10. Engaging in an illegal strike, work stoppage, slow-down, or acts of sabotage or vandalism.
11. Refusal to sign or execute an oath of citizenship, oath of loyalty, or any other form or document required by law or City regulations.
12. Possession of firearms, explosives, or other weapons on City property or in a City vehicle, unless except as authorized by law~~proper authority.~~
13. The use, possession, or sale of narcotics or other illegal substances on or off City property.
14. Inability or unfitness to perform assigned duties due to gross or willful neglect, incompetence, or other reasons.
15. Concealment of a communicable disease which could endanger the health of other employees or the public.
16. Providing entrance or access to City facilities or property to unauthorized persons.
17. Concealment or removal of City property or the property of another employee without proper authorization or theft of City property or property of another person.
18. Demonstrated pattern of inefficiency or incompetence in the performance of assigned duties.
19. Making false claims or deliberate misrepresentations in an attempt to obtain sick leave or injury benefits, workers' compensation benefits, or any other benefits.
20. Threatening physical violence or striking another employee, supervisor, or a member of the public while on duty or on City premises.
21. Loss or suspension of a required license, certification, permit, or other credential required by an employee to perform the duties of his/her position.

22. Providing false information to any Supervisor or member of management, or lying under oath or lying in any official proceeding.
23. Deliberately falsifying racial or sexual harassment charges or "whistle-blower" claims.
24. Failure to cooperate in an official investigation related to work.
25. Conduct that raises obvious questions as to the employee's ability to maintain public trust.
26. Racial Harassment - Any unwelcome verbal comments or physical acts of a racial nature which interfere with an employee's ability to perform his/her duties or which creates an offensive working environment.
27. Sexual Harassment - Any unwelcome verbal or physical conduct of a sexual nature which interferes with an employee's ability to perform his/her duties or which creates an offensive or hostile working environment, or any act of sexual harassment toward a member of the public.
28. Use of obscene or sexually explicit language or gestures directed at any customer/citizen of the City or another employee.
29. Possession, use, consumption of, or being under the influence of intoxicating beverages while on official duty.
30. Reporting for duty under the influence of intoxicating beverages, non-prescribed drugs, or illegal controlled substances.
31. Testing positive for illegal drugs or alcohol during any test administered pursuant to City policies.
32. Solicitation or acceptance of any gift, gratuity, or other form of compensation of any value by an employee that is based on any understanding that the performance/ non-performance of any duties or responsibilities associated with employment by the City, or any official action or judgment of the employee, would be influenced by such gift, gratuity, or other form of compensation.
33. Conduct unbecoming an employee which may not be specifically set forth in these regulations.

34. Any other incidents or series of incidents which, when considered on their merit, are equal in gravity to the established dismissal offenses.

G. DISCIPLINARY ACTION FOR DISMISSAL OFFENSES

An employee who is determined to have committed a dismissal offense shall be subject to dismissal. If it is determined that a lesser penalty is appropriate, the disciplinary action shall not be less than a suspension without pay.

Section 3. LAW VIOLATION CHARGES

Any employee charged with and/or arrested for any crime shall notify his/her Department ~~Director~~ Supervisor within twenty-four hours of the arrest, or as soon as practical, regarding the charges and his/her availability for work status.

When an employee is formally charged with criminal conduct which is job-related and/or which is not job-related but affects the public's trust and confidence in the employee and/or City government, his or her Department Supervisor will render a preliminary determination to either:

1. Allow the employee to continue to perform duties pending the outcome of the departmental investigation and final administrative determination;
2. Reassign the employee to other, less sensitive duties pending the outcome of the departmental investigation and final administrative determination;
3. Suspend the employee without pay pending the outcome of the departmental investigation and final administrative determination;
4. Suspend the employee with pay pending the outcome of the departmental investigation and final administrative determination; or
5. Terminate the employee.

In making the preliminary determination, the following factors may be considered:

1. The nature, weight, basis, and character of the criminal charges against the employee;
2. Any explanation offered by the employee;
3. Employee's willingness to undergo voluntary drug testing at employee's expense at a facility designated by the City at intervals specified by the City, in the case of arrests related to the possession, use, or sale of illegal drugs;

4. Employee's willingness to enroll in an appropriate rehabilitation program, if deemed necessary by the City;
5. The extent to which the criminal charges, alleged conduct, and surrounding circumstances may affect the public's trust and confidence in the employee and in the City government;
6. The extent to which the criminal charges, alleged conduct, and surrounding circumstances may affect the employee's ability to carry out his duties and responsibilities effectively;
7. The employee's documented work record and past performance;
8. The interest of the City and/or other operational considerations determined by the City.

Following the preliminary determination, the Department Supervisor may conduct a comprehensive investigation to determine what, if any, disciplinary action is appropriate. This investigation is not intended to establish the employee's guilt or innocence of the formal criminal charges. Any disciplinary action taken may take into consideration the same factors as were used in making the preliminary determination, and will not be dependent upon the outcome of the criminal charges through the legal system.

The City may terminate an employee based on unavailability for work due to continued incarceration. If the City's decision is to allow the employee to continue to work pending the outcome of the criminal charges against him, the employee will be advised in writing that it is his/her responsibility to notify his or her Department Supervisor within forty-eight hours of any change in status, any required court appearance, or attorney appointments (which must be charged to vacation, personal leave, or administrative leave, if available, or will be unpaid); and that the City reserves the right to take additional disciplinary action, including dismissal, depending on the outcome of the criminal charges.

Once resolution of the criminal charges has occurred, the following rules shall apply: a verdict of guilty; a plea of guilty; a plea of nolo contendere (no contest); or an adjudication of guilt after trial; or any other plea or adjudication based upon any admission of guilt to any charges shall be "prima facie" evidence of grounds for discharge. It shall be at the sole discretion of the City to consider continued employment based on the overall employment record and the circumstances of the outcome of the charges.

A verdict of "not guilty" or "charges dropped/dismissed" shall not mean that an employee will not be disciplined or discharged. The Department Director may proceed with disciplinary action if a violation of City policy occurred, irrespective of the court's disposition.

A determination shall be made regarding eligibility for back pay, based on the disposition of the legal proceeding, for employees who were suspended without pay pending the outcome of the charges.

Section 4. COMPLAINTS AGAINST EMPLOYEES

If an external (non-criminal charge) complaint is made against a City employee, the Department ~~Supervisor~~ Director, will evaluate the nature of the charge/allegation and the interest of the City, and may take the following action after notification of the proposed action and acceptance by the Mayor:

- suspension with pay;
- suspension without pay;
- administrative or other duty besides the employee's regular duties;
- transfer to another assignment/work site; or
- terminate employment.

In such cases, no additional disciplinary action (i.e., suspension without pay) will be considered until the conclusion of the investigation when the circumstances/validity of the complaint is fully ascertained.

Section 5. POLICE OFFICERS' BILL OF RIGHTS

In cases in which a sworn law enforcement officer, other than the Chief of Police, is under investigation and subject to interrogation for reasons which could lead to disciplinary action, demotion, or dismissal, the provisions of the Police Officers' Bill of Rights (Florida Statutes, Section 112.532) shall apply.

Section 6. NAME-CLEARING HEARINGS

A. PURPOSE AND SCOPE

All City employees, including part-time, temporary, and probationary employees, may request a "name-clearing" hearing to present information for the purpose of "clearing his/her name."

B. NOTICE OF RIGHT TO REQUEST A HEARING

If an employee waives his/her right to a name-clearing hearing, it shall not affect his/her right to file an appeal through the grievance procedures outlined in this manual or in an applicable collective bargaining agreement.

C. CONDUCTING THE HEARING

If an employee was terminated for a reason, and such employee requests a name-clearing hearing, the name-clearing hearing will be scheduled within five work days after receipt of the employee's request and will be conducted by the Department Supervisor ~~Director~~/designee. The hearing may be tape recorded. The following procedure will apply during the hearing:

- confirmation that the employee has a copy of the charges.
- explanation of the charges and that dismissal/suspension is recommended.
- opportunity for the employee to offer any contrary evidence or explanation. If the employee intends to bring legal representation to the name-clearing hearing, the City shall be notified at least forty-eight (48) hours prior to the hearing in order to respond accordingly. If the employee brings legal representation without notification, the City reserves the right to reschedule the hearing at its convenience.
- allowing the employee to make a verbal statement, or submit a written statement, for the purpose of clearing his/her name.

Section 7. DISCIPLINE AND DISMISSAL NOTICES

A. DISCIPLINARY ACTION NOTICE FOR REPRIMAND/ SUSPENSION

When an employee is reprimanded or suspended, the written notice must provide the following information:

- specific charge of misconduct with reference to a violation of City or departmental rules, regulations, or policies, or a supervisory order and date of offense(s).
- brief narrative description of offense and imposition of disciplinary action.
- reference to previous disciplinary actions if relevant to the reason for the current disciplinary action.
- warning regarding employee's failure to take corrective action will subject him/her to further disciplinary action, including dismissal.
- reference to the employee's right to grievance/appeal.

- the signature of the Department Director and date that the disciplinary action notice is issued.
- employee's signature and date to acknowledge receipt of the document. The employee's signature does not imply agreement and refusal to sign should be noted and witnessed.

B. NOTICE OF DISMISSAL

1. All employees may be terminated at any time during the period of employment or probationary period without or without cause and without the right to a pre-determination hearing or to a post-termination appeal.
2. The employee will receive a written notice that his/her employment or probationary employment is terminated. The termination letter will include information regarding final pay, insurance continuation, etc. Additionally, the termination letter will include the employee's right to request a "name-clearing" hearing, if the employee was terminated for any reason, within five work days of receipt of the termination letter, in applicable cases. The purpose of the "name-clearing" hearing is solely to allow the terminated employee to submit an oral or written statement to "clear his/her name." This name-clearing hearing does not constitute a pre-determination or post-termination appeal.

XVI. EMPLOYEE GRIEVANCE PROCEDURE

Section 1. PURPOSE

The grievance procedure is established to provide a structured process for employees to express their grievances with personnel policies and/or actions that directly affect them, including disciplinary actions taken against them. As at-will employees, City employees do not have the right to file a post-termination grievance.

It is the intent and desire of the City to resolve grievances informally and as quickly as possible. Supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be some grievances which will be resolved only by this formalized system. The submittal of a legitimate grievance by an employee will in no way adversely affect the employee or his/her employment with the City.

Section 2. DEFINITIONS/RULES

For purposes of the grievance procedure, the following definitions and rules apply.

DEFINITIONS

- A. **Grievance** - shall be a complaint, submitted in writing, arising out of an interpretation or application of a rule/disciplinary action or some condition of employment
- B. **Disciplinary action** - is defined as written reprimands or no-pay suspensions. Employee counselings/verbal reprimands are not subject to appeal.
- C. **Grievant** - is a regular employee having a complaint.
- D. **Day** - shall mean Monday through Friday (working days). Saturday, Sunday, and holidays are excluded unless otherwise noted.

RULES

- A. Full-time regular status employees have access to the grievance procedure. Part-time, temporary, seasonal, and probationary employees and Department Directors and do not have access to the grievance procedure.
- B. Only unpaid suspensions can be appealed to the Mayor's level. The decision of the Department ~~Director~~ Supervisor on written reprimands is final and binding.

- C. A grievance filed by an employee must be submitted in writing, signed, and dated.
- D. A grievance/complaint that is not appealed within the specified time limits shall be deemed permanently withdrawn and settled on the basis of the decision most recently given.
- E. The grievance procedure steps and time limits will be strictly enforced. Exception to the order and time limits may be made only with the mutual consent of the Mayor or Department Head Supervisor, and the grievant.
- E. The City shall not be obligated for retroactive pay that is greater than the employee's regular earnings.
- G. The Grievance Procedure for represented employees is outlined in their collective bargaining agreement.

Section 3. BASIS FOR GRIEVANCE

The grievance procedure is for an individual employee's use to solve a personal problem relating to the personnel rules, regulations, and policies of the City or to appeal a disciplinary action. Grievances will not be accepted if filed by one employee on behalf of another, or group actions.

Section 4. MANAGEMENT PREROGATIVES

The following areas of administration are considered prerogatives of management and shall not be a subject of the grievance procedure:

- scheduling and assignment of work, work hours, and work stations.
- establishing work standards and quality.
- size of work force and reorganizations.
- reductions in the work force.
- appropriations and budget.
- scope of work within job classifications.
- performance evaluations.
- promotions and involuntary demotions or transfers deemed to be in the interest of the City.
- the right to discipline.
- terminations.
- the goals and objectives of the City.

Section 5. GRIEVANCE PROCEDURE STEPS

In order to assure employees that grievances are considered rapidly, fairly, and without reprisal, the following steps are provided for non-substance disciplinary actions (written reprimands) and substance disciplinary actions (suspensions without pay).

A. NON-SUBSTANCE DISCIPLINARY ACTION PROCEDURES - Written Reprimands

1. The employee shall submit his/her written complaint to the Department ~~Supervisor~~ Director **within five working days** of receipt of the written reprimands or his/her knowledge of the issue which is the subject of the grievance. The written grievance shall contain information relevant to the issues and shall identify the resolution/action requested by the employee.
2. Upon receipt of the written grievance, the Department ~~Director~~ Supervisor will note the date and time of receipt of the grievance. The Department ~~Director~~ Supervisor will review the written grievance; meet with the employee, if deemed necessary; and prepare a written response to the grievance **within five working days** of receipt of the grievance. If the Department ~~Director~~ Supervisor determines, upon his/her initial review of the grievance, that the nature of the grievance is such that it cannot be addressed within five working days (i.e., it is necessary to hold a hearing or to obtain information/statements from other employees/citizens not immediately available, etc.), the employee will be notified in writing of the need for additional time needed to properly evaluate and respond to the grievance. The written notice regarding the need for additional time shall include a specific date by which the complete response will be provided. No response shall take more than ten working days from the date the grievance was received by the Department Supervisor ~~Director~~. It is the Department Supervisor's ~~Director's~~ responsibility to conduct any research/meetings required in order to respond to the grievance and to issue his/her written response within the five working days or extended time frame outlined in this section.
3. The decision of the Department Supervisor ~~Director~~ will be final and binding for written reprimands. These reprimands shall not be submitted to the Mayor.

B. SUBSTANCE DISCIPLINARY ACTION PROCEDURES –Unpaid Suspensions

STEP ONE

1. The employee shall submit his/her written complaint to the Department ~~Supervisor~~ Director **within five working days** of receipt of the no-pay suspension. The written grievance shall contain information relevant to the issues and shall identify the resolution/action requested by the employee.
2. Upon receipt of the written grievance, the Department ~~Supervisor~~ Director will note the date and time of receipt of the grievance. The Department Director will review the written grievance; meet with the employee and witnesses/other employees, if deemed necessary; and prepare a written response to the grievance **within five working days** of receipt of the grievance. If the Department ~~Director~~ Supervisor determines, upon his/her initial review of the grievance, that the nature of the grievance is such that it cannot be addressed within five working days (i.e., it is necessary to hold a hearing or to obtain information/statements from other employees/citizens not immediately available, etc.), the Department ~~Supervisor~~ Director will notify the employee in writing of the need for additional time in order to properly evaluate and respond to the grievance. The Department ~~Supervisor's~~ Director's written notice regarding the need for additional time shall include a specific date by which the complete response will be provided. No response shall take more than ten working days from the date the grievance was received by the Department ~~Supervisor~~ Director. It is the Department ~~Director~~ Supervisor's responsibility to conduct any research/meetings required in order to respond to the grievance and to issue his/her written response within the five working days or extended time frame outlined in this section.

STEP TWO

1. If the grievance response issued by the Department ~~Supervisor~~ Director in Step One does not resolve the matter to the employee's satisfaction, or if no response is given to the employee within the five working day time frame or the agreed upon extended time frame (up to ten working days), the employee shall have the right to advance his/her grievance to the Mayor. The employee shall document the reason for advancing the appeal; he/she shall state his/her disagreement with the proposed resolution, or state that no reply was received within the proper time frame.
2. Upon receipt of the grievance from the employee, the Mayor will review the proposed resolution(s) from the Department ~~Supervisor's~~ Director's response and shall, within ten working days, review the written grievance,

meet with the employee and/or conduct a hearing, as the Mayor deems appropriate; and issue a final and binding written response to the employee within ten working days or at a time specified by the Mayor.

If the grievance was appealed to the Mayor due to lack of action/response within prescribed time frames by the Department Supervisor ~~Director~~, the Mayor will process the grievance and will administratively deal with the Department Supervisor's ~~Director's~~ failure to respond in accordance with the time frame requirements outlined herein.

Section 6. RECORDS OF GRIEVANCES

The City Clerk will maintain files of employee grievances. The Department Supervisor ~~Director~~ is responsible for ensuring that the City Clerk is furnished copies of all related documents during the grievance process.

XVII. SEPARATION FROM CITY EMPLOYMENT

Section 1. RESIGNATION

- A. A resignation is defined as any action whereby an employee voluntarily leaves the employment of the City, with or without giving notice. A written resignation is required. A resignation in good standing is defined as a written resignation with at least two weeks' notice. In order to be eligible for payment of accumulated sick and vacation leave as outlined elsewhere in this manual, an employee must resign in good standing. A resignation with less than two weeks' notice may be deemed to be in good standing by the Department ~~Director~~-Supervisor and/or Mayor in extenuating circumstances (e.g., employee must report to new job within three days due to a training program, etc.). If it is deemed to be in the best interest of the City, the Mayor may authorize payment in lieu of the employee working through his/her notice of resignation period.
- B. It is the responsibility of the employee to file a written resignation with his/her Department ~~Director~~-Supervisor at least two weeks prior to separation, stating the date of resignation and reason for leaving. Failure to provide this advance notice may be cause for denial of re-employment eligibility, based on resignation without proper notice. However, the submittal of a written resignation with proper notice is not a guarantee of eligibility for re-employment. Other factors, including overall work record, are considered. Upon receipt of a written resignation, the Department ~~Director~~-Supervisor will note "resignation accepted," sign, and date the resignation. The original written resignation will be sent to the City Clerk's office for inclusion in the employee's personnel file.

Section 2. RESIGNATION FOR MILITARY DUTY

Regular full-time employees who have completed their probationary period and who resign to enter active military duty will be eligible for reinstatement as provided by law for those who are qualified, as outlined elsewhere in this policy manual.

Section 3. LAYOFF/RECALL

- A. Layoff is defined as separation of an employee from a City position because of a reduction in work load, abolishment of a position after study, internal reorganization, or for other related causes.
- B. Generally, any employee who is laid off shall be paid two weeks salary in lieu of or receive two weeks' notice from the City. However, when funds are lacking or other circumstances warrant, a

notice of less than two weeks may be given. Prior approval of the Department ~~Director~~ Supervisor and the Mayor is required prior to an employee being given a layoff notice.

- C. Reasonable time off with pay may be granted the employee to assist in securing employment elsewhere. Arrangements may be made for clerical assistance, photocopying, resume preparation, etc.
- D. Every attempt will be made to place the employee in a comparable position for which he/she qualifies, if such a position becomes available.
- E. When for any reason the City deems it necessary to reduce the work force of any department, the Department ~~Director~~ Supervisor shall determine the number and classes of employees to be laid off, subject to approval of the Mayor. Employees shall be laid off without prejudice as layoff is not considered a disciplinary action.
- F. For the purpose of this section, length of continuous service (seniority) means the period of time an employee has been employed in a classification in a department or, when appropriate, the City's service.
- G. The layoff decision is a management right and is not subject to the grievance or appeal process.

H. DETERMINING ORDER OF LAYOFF

When it becomes necessary to reduce the number of employees within a given classification, factors including, but not limited to, seniority, documented performance, operational impact, etc., will be considered in making the determination. The City retains the right to lay off employees in a manner deemed appropriate in the interest of the City.

I. CONSIDERATION AFFORDED EMPLOYEES PRIOR TO LAYOFF

Employees to be laid off shall be given at least two weeks' written notification of such layoff whenever practical. Employees may be granted payment in lieu of notice, as approved by the Mayor.

An employee who is scheduled to be laid off shall be offered a demotion to a lower level position if a vacancy exists within the office or department and the employee is qualified to fill the position.

J. RECALL RIGHTS

Employees are eligible for recall for a period of one year from the date of layoff. Provisions regarding recall of employees on layoff are outlined elsewhere in this manual.

- K.** Provisions governing layoff/recall of represented employees are outlined in collective bargaining agreements.

Section 4. RETIREMENT

Retirement is defined as separation from service in order to initiate the commencement of retirement benefits in accordance with the provisions of the ordinance governing the retirement plan of which the employee is a member.

Section 5. MEDICAL TERMINATION

- A.** In the event it is determined, based on competent medical evidence, that an employee is unable to perform the essential functions and requirements of his/her position, the employee's separation from service will be deemed a medical termination.
- B.** A medical termination will be without prejudice and the employee will receive payment of leave benefits in the same manner as an employee who resigns in good standing, as provided elsewhere in this policy manual.
- C.** An employee will be eligible for re-employment as his/her medical condition permits, or, depending on length of service and prognosis of condition, he/she may be eligible for disability retirement, as determined by the provisions of the pension plan of which the employee is a member.

Section 6. DISMISSAL OR DISCHARGE

- A.** All City employees are at-will employees and may be terminated ~~by the Mayor or other person as designated by Charter or other Code provision with or without notice; with or without cause; and without access to a pre-determination hearing or post-termination appeal.~~ A Department ~~Director~~ Supervisor who is terminated will receive termination pay in accordance with the provisions of any Employment Agreement.

- B. Probationary employees may be terminated at any time during the established new hire probationary period without a pre-determination notice or post-termination appeal.
- C. If an employee is terminated for a reason, he/she will be afforded the opportunity to request a "name-clearing" hearing.

Section 7. DEATH

- A. Separation shall be effective as of the date of death. All compensation due the employee as of the effective date of separation shall be paid to the beneficiaries, surviving spouse, or to the estate of the employee as determined by law or executed forms in the personnel file.
- B. Unused vacation and sick leave benefits are payable as outlined in Chapter XIV.
- C. Depending upon the employee's age and years of service as of the date of death, and the governing pension plan provisions, survivor retirement benefits may apply.

Section 8. RETURN OF CITY PROPERTY/REIMBURSEMENT OF INSURANCE PREMIUMS

At the time of separation and prior to receiving final monies due, all records, City identification card, books, uniforms (except shirts with the City's logo), keys, tools, and other items of City equipment and property in the employee's custody shall be returned to his/her department. Any monies due the City because of failure to return such items may be deducted from the employee's final paycheck.

An employee who separates from service with the City (for any reason) during the first ninety (90) days of employment shall be required to reimburse the City for any insurance premiums paid by the City on behalf of the employee and/or his/her dependents.

ORDINANCE NO. 2012-02

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SECTION 102-71 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES BY ADOPTING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, WITH CERTAIN AMENDMENTS, THERETO TO CONFORM TO FLORIDA LAW AND THE CITY'S EXISTING CODE OF ORDINANCES; REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPANCY AND USE; PROVIDING THAT THE PROVISIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE SHALL BE SUPPLEMENTAL TO ALL OTHER CODES AND ORDINANCES OF THE CITY; PROVIDING FOR CODIFICATION, SEVERABILITY, AND CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Edgewood has adopted the 2009 International Property Maintenance Code published by the International Code Council; and

WHEREAS, the City of Edgewood actively participates in the enforcement of regulations relevant to safe, sanitary, and habitable property maintenance and structures; and

WHEREAS, under its home rule powers, the City of Edgewood may regulate and govern property maintenance to ensure the well-being of its citizens; and

WHEREAS, the City of Edgewood has determined that it is in the best interest of the health, safety, and welfare of the citizens, businesses within the City, and patrons of such businesses, to adopt the 2012 International Property Maintenance Code as published by the International Code Council for the maintenance and control of buildings and structures, with amendments thereto to comply with Chapter 162, Florida Statutes, the Florida Building Code, and the City's Code of Ordinances; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Edgewood, Florida, as follows:

SECTION 1. Legislative Findings and Intent. The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this Ordinance.

SECTION 2. Section 102-71 of the City of Edgewood Code of Ordinances is hereby repealed in its entirety and replaced with the following:

Sec. 102-71. International Property Maintenance Code Adopted by Reference

(a) The City hereby adopts the 2012 edition of the International Property Maintenance Code published by the International Code Council, and incorporates the same by reference as if fully set forth herein. At least one copy of the 2012 International Property Maintenance Code is on file in the city clerk's office together with a copy of this Ordinance.

(b) The following sections and subsections of the 2012 edition of the International Property Maintenance Code are hereby amended as follows:

(1) Subsection 101.1. These regulations shall be known as the Property Maintenance Code of the City of Edgewood, hereinafter referred to as "this Code."

(2) Subsection 102.3 entitled "Application of other codes," shall read as follows: Repairs, additions or alterations to a structure, or changes in occupancy, shall be done in accordance with the provisions of the Florida Building Code and amendments thereto.

(3) Subsection 103.1 entitled "General," shall read as follows: The City of Edgewood, code enforcement division, is hereby charged with the primary responsibility of enforcing this Code.

(4) Subsection 103.2, entitled "Appointment," shall read as follows: The code inspector shall be appointed by the Mayor of the City of Edgewood.

(5) Subsection 103.5, entitled "Fees," is hereby deleted in its entirety.

(6) Subsection 106.2, entitled "Notice of Violation," is hereby deleted in its entirety.

(7) Subsection 106.3, entitled "Prosecution of Violation," is hereby deleted in its entirety.

(8) Section 107, entitled "Notices and Order," is hereby deleted in its entirety.

(9) Subsection 108.3, entitled "Notice," shall read as follows: Whenever the code inspector has condemned a structure or equipment under the provisions of this section, notice shall be protected from the weather and posted in a conspicuous place on or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Chapter 162, Florida Statutes. If the notice pertains to equipment, it shall also be placed on the condemned equipment.

(10) Subsection 109.5, entitled "Costs of emergency repairs," shall read as follows: Costs incurred in the performance of emergency work shall be paid by the owner or agent responsible for the property, or the City may thereafter file a lien on the property for such costs.

(11) Subsection 109.6, entitled "Hearing," shall read as follows: Any person ordered to take emergency measures shall comply with such order forthwith. Any adversely affected person shall thereafter, upon application directed to the city council, be afforded an appeal from the code inspector's decision upon payment of appeal fees as set by resolution of council,

(12) Section 111, entitled "Means of Appeal," of this Code is hereby deleted in its entirety.

(13) Subsection 302.4, entitled "Weeds," is hereby deleted in its entirety.

(14) Subsection 304.14, entitled "Insect Screens," shall read as follows: Year-round, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored, shall be supplied with approved, tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

(15) Subsection 602.3, entitled "Heat Supply," shall read as follows: Every owner and operator of any building who rents, leases, or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from November 15th to April 15th to maintain a temperature of not less than 68 degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms.

(16) Subsection 602.4, entitled "Occupiable Work Spaces," shall read as follows: Indoor occupiable work spaces shall be supplied with heat during the period from November 15th to April 15th during the period the spaces are occupied.

(17) References in this Code to the International Plumbing Code shall be replaced with the Plumbing Code of the Florida Building Code.

(18) References throughout this Code to the ICC Electrical Code shall be replaced with the Florida Building Code.

(19) Supplemental Code. The provisions of this Code shall be supplemental to all other codes and other ordinances of the City.

SECTION 3. Codification. It is the intent of the City Council of the City of Edgewood that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provision of this Ordinance.

SECTION 4. Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 5. Conflicts. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision which establishes

the higher standards for the promotion and protection of the health and safety of the people shall prevail.

PASSED AND ADOPTED this _____ day of _____, 2012, by the City Council of the City of Edgewood, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

Judy Beardslee, Council President

ATTEST:

Bea L. Meeks, MMC, CPM
City Clerk

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, RELATING TO MAINTENANCE OF PRIVATE INFRASTRUCTURE WITHIN GATED COMMUNITIES; AMENDING SECTION 126-559 TO REPLACE THE REQUIREMENT FOR ANNUAL ENGINEERING REPORTS WITH A REQUIREMENT THAT ENGINEERING REPORTS BE GIVEN TO THE CITY UPON REQUEST; CLARIFYING PROVISIONS WITHIN SECTION 126-559; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 126-559 of the City of Edgewood Code of Ordinances currently requires gated communities to provide the City with annual reports prepared by a professional engineer related to the maintenance of the roads, streetlights, sidewalks and retention ponds within the gated community; and

WHEREAS, the City Council of the City of Edgewood is conscious of the costs HOAs may incur in order to obtain such annual reports; and

WHEREAS, the City Council of the City of Edgewood finds that it is more cost efficient to require gated communities to provide engineering reports related to maintenance of infrastructure on an "as requested" basis.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA:

Section 1. Chapter 126, Article V, Section 126-559 is hereby amended to read as follows:

Sec. 126-559. City standards and maintenance inspections.

All roads, streetlights, sidewalks, and retention ponds must be built to city standards but will be the maintenance responsibility of the homeowners' association. All water and wastewater utilities shall be the maintenance responsibility of the service provider. Upon request of the city, which request may not be made more than once in any calendar year, the HOA shall provide the city and city engineer with a written report certified by a professional engineer on the condition and upkeep of the roads, sidewalks, streetlights, and stormwater retention areas. Said report shall be provided within 60 days of the date the city, in writing, requests the report. The HOA must provide the city and city engineer with a yearly written report from another professional engineer on the condition and upkeep of the roads, sidewalks, streetlights, and stormwater retention areas. This report shall indicate which, if any, of the facilities have become substandard due to lack of maintenance and the maintenance necessary to return the facilities to the required

standards. If said report identifies any facilities have become substandard due to lack of maintenance, the HOA shall provide the necessary maintenance within 90 days of the date of the engineer's report. Once the maintenance items have been identified by the city engineer, the HOA must provide said maintenance within 90 days. The requirement for a yearly engineering inspection shall start three years after the construction or reconstruction of the improvements.

Section 2. Conflicts. All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 3. Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

Section 4. Codification. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Edgewood. The Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

Section 5. Effective Date. This ordinance shall become effective immediately upon its adoption.

FIRST READING: _____

SECOND READING: _____

PASSED AND ADOPTED this _____ day of _____, 2012.

Judy Beardslee, Council President

ATTEST:

Bea L. Meeks, MMC, CPM
City Clerk

ORDINANCE NO. 2011-08

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, RELATING TO THE LOCAL BUSINESS TAX ACT; AMENDING SECTION 34-19 OF THE CODE OF ORDINANCES BY PROVIDING THAT PERSONS ENGAGING IN OR MANAGING ANY PROFESSION IN THE CITY SHALL NOT BE REQUIRED TO PROCURE A BUSINESS TAX RECEIPT WHEN SUCH PERSONS ARE EMPLOYED BY A BUSINESS THAT HAS PROCURED A BUSINESS TAX RECEIPT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this ordinance amends Chapter 34 of the Edgewood City Code in accordance with the Local Business Tax Act; and

WHEREAS, pursuant to the Local Business Tax Act, local governments are authorized to collect a business tax from "[a]ny person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within the city;" and

WHEREAS, pursuant to the Local Business Tax Act, local governments are authorized to collect a business tax from "[a]ny person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within the city;" and

WHEREAS, the City Council of the City of Edgewood, Florida desires to eliminate the requirement that persons engaging in or maintaining any profession or occupation within the city procure a separate business tax receipt when the business employing such person has already procured a business tax receipt.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA:

Section 1. That Article II of Chapter 34, Section 34-19 of the City of Edgewood Code of Ordinances is hereby amended to read as follows:

Sec. 34-19. Local business tax imposed.

(a) For purposes of this article, the term "business," "profession" or "occupation" shall include all individuals, corporations, associations, syndicates, joint stock companies, partnerships of every kind, joint ventures, clubs, trusts and societies engaged in any type of work, occupation or profession unless exempt under federal or state law.

(b) No person listed below shall engage in any business activity whatsoever, within the city until a business tax receipt shall have been procured from the city clerk, which receipt shall be issued to each business that is not in violation of this article, or other

ordinance, or laws of the state, after receipt by the city clerk of a business tax receipt application, and on receipt by the city clerk of the amount hereinafter provided:

(1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within the city.

(2) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within the city, provided, however, that such person shall not be required to procure a business tax receipt if such person is employed by a business that has obtained a business tax receipt pursuant to subparagraph (1) for the business in which such person practices.

(3) Any person who does not qualify under subsection (b)(1) or (2) of this section and who transacts any business or engages in any occupation or profession in interstate commerce, if the business tax is not prohibited by United States Constitution, Art. I, § 8.

Section 2 Conflicts. All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 3 Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

Section 4 Codification. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Edgewood. The Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

Section 7. Effective Date. This ordinance shall become effective immediately upon its adoption.

FIRST READING: _____

SECOND READING: _____

PASSED AND ADOPTED this _____ day of _____, 2012.

Judy Beardslee, Council President

ATTEST:

Bea L. Meeks
City Clerk

RESOLUTION NO. 2012-01

A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, SUPPORTING ANTI-STALKING LEGISLATION INCLUDING SENATE BILL 950 AND HOUSE BILL 1099; ENCOURAGING ORANGE COUNTY LEGISLATIVE DELEGATION TO SUPPORT SENATE BILL 950 AND HOUSE BILL 1099 AND OTHER ANTI-STALKING LEGISLATION; DIRECTING THE CITY CLERK TO PROVIDE COPIES OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, under the laws of all fifty states, the District of Columbia, and federal government, stalking is a crime; and

WHEREAS, 3.4 million people over the age of 18 are stalked each year in the United States, and nearly 75% of victims are stalked by someone they know; and

WHEREAS, three out of four women killed by an intimate partner had been stalked by that intimate partner; and

WHEREAS, many stalking victims lose time from work and experience serious psychological distress and lost productivity at a much higher rate than the general population; and

WHEREAS, many stalking victims are forced to protect themselves by relocating, changing their identities, changing jobs, and obtaining protection orders; and

WHEREAS, many stalkers use increasingly sophisticated devices—such as global positioning systems, cameras, and computer spyware—to track their victims; and

WHEREAS, there is a need for great public awareness about the nature, criminality, and potential lethality of stalking; and

WHEREAS, criminal justice systems can enhance their responses to stalking by regular training of law enforcement officers and aggressive investigation and prosecution of the crime; and

WHEREAS, laws and public policies must be continually adapted to keep pace with new tactics used by stalkers; and

WHEREAS, communities can better combat stalking by adopting multidisciplinary responses by teams of local agencies and organizations and by providing more and better victim services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edgewood Florida:

Section 1. The City Council of the City of Edgewood hereby supports anti-stalking legislation including Senate Bill 950 and House Bill 1099.

Section 2. The City Council also requests the Orange County Legislative Delegation support Senate Bill 950 and House Bill 1099 and other anti-stalking legislation.

Section 3. The City Clerk shall provide copies of this Resolution to the President of the Florida Senate, the Speaker of the Florida House of Representatives, and each member of the Orange County Legislative Delegation as well as the Governor of the State of Florida.

Section 4. This Resolution shall become effective upon passage and adoption.

PASSED AND ADOPTED this 21st day of February, 2012.

CITY OF LAKE EDGEWOOD, FLORIDA

JUDY BEARDSLEE
COUNCIL PRESIDENT

ATTEST:

BEA L. MEEKS, MMC, CPM
CITY CLERK

Bea Meeks

From: Andrea Lorenzo-luaces [aluaces@winterspringsfl.org]
vt: Tuesday, February 07, 2012 10:43 AM
eodonnell@altamonte.org; jgoebel@apopka.net; Bea Meeks; dmatthews@kissimmee.org;
lhansell@kissimmee.org; smirus@longwoodfl.org; dougherj@sanfordfl.gov;
bbarbour@cityofviedo.net; mwaldrop@itsmymaitland.com; Gardner, Donna;
alana.brenner@cityoforlando.net; dolores.meyer@cityoforlando.net;
dburkhalter@town.windermere.fl.us; koleary@kissimmee.org; cbonham@cityofwinterpark.org;
ljaworski@stcloud.org; beikenberry@ocoe.org; yquiceno@cobifl.com; kludwig@rcid.org;
townmanager@oaktownusa.com; kgolden@wintergarden-fl.gov
Cc: Joanne Krebs; cfoster@lakemaryfl.com
Subject: Resolution Request - Tri-County League of Cities
Attachments: Resolution 893.pdf

Good Morning,

President Joanne M. Krebs (Commissioner - City of Winter Springs) of the Tri-County League of Cities has asked me to forward this to you with the request that you kindly forward the email and Resolution attachment to your Elected Officials and City Managers.

Thank you kindly,
Andrea

Good Morning,

On behalf of President Joanne M. Krebs (Commissioner - City of Winter Springs) of the Tri-County League of Cities and in coordination with a request from Commissioner Lucarelli with the City of Lake Mary, please find attached a Resolution supporting Anti-Stalking Legislation.

The request is that you please review this Resolution and adopt a similar Resolution.

For questions, you may contact Commissioner Lucarelli at jlucarelli@lakemaryfl.com Thank you very much for your consideration.

On belf of President Krebs - Thank you,
Andrea



Andrea Lorenzo-Luaces, MMC City Clerk
City of Winter Springs, Florida
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Winter Springs, Florida 32708
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The Florida Senate

CS/SB 950: Stalking and Aggravated Stalking

GENERAL BILL by Criminal Justice; Simmons; (CO-INTRODUCER) Storms

[Track This Bill](#)

Stalking and Aggravated Stalking; Redefining the terms "course of conduct" and "credible threat" and defining the term "immediate family"; providing that a person who makes a threat which places another person in reasonable fear for his or her safety or the safety of his or her immediate family commits the offense of aggravated stalking under certain circumstances; creating a civil cause of action for an injunction for protection against stalking or cyberstalking; providing procedures to follow when the respondent has violated the injunction for protection, etc.

Senate Committee References: [Criminal Justice \(CJ\)](#), [Judiciary \(JU\)](#), [Budget Subcommittee on Criminal and Civil Justice Appropriations \(BJA\)](#), [Budget \(BC\)](#).

Last Action: 02/06/2012 Now in Budget Subcommittee on Criminal and Civil Justice Appropriations

Effective Date: October 1, 2012

MEMO

(Informational Only)

TO: Mayor Bagshaw, Council President Beardslee, Council Members Powell, Henley, Dowless and Chotas

Cc: Cinnamon Wild, Administrative Assistant, Chief Marcus

FROM: Bea Meeks, City Clerk

BM

DATE: February 13, 2012

RE Status

This memo serves to bring you up-to-date on the day-to-day operations of City Hall. The following highlights January and February activities to date:

- Attend Monday morning legislative conference calls with Florida League of Cities.
- There were no applications that required P & Z meetings in January and February. There will be a P&Z meeting in March. I contact P & Z members monthly to let them know if there is a meeting. They have been made aware of the March meeting.
- On January 12, 2012, City Hall staff and PD personnel attended a training session on the new Toshiba copiers. It was a good training session and we are now able to utilize the many options on the copier available to us.
- January 31, 2012 was the Presidential Preference Primary. City Hall was staffed with a great team of poll workers, most of which we will see again. The turnout at our poll was high but that could have been due to the high number of registered Republicans.
- City Hall staff continues to schedule and monitor the AARP meetings and HOA meetings held regularly in City Hall.
- I completed and returned the U.S. Department of Commerce request for Building and Zoning permits within the City of Edgewood.
- I completed and returned the U.S. Department of Commerce request for 2012 Boundary and Annexation Survey Contact Update Form and Advance Response Form
- I completed and returned the State of Florida Commission on Ethics Request for Updated Information.
- Monitored the City's status with FEMA as it relates to closing our files (Hurricanes Charley, Francis and Jean); closings pending.
- Continue to respond to records request.
- Continue to respond to zoning clearance for building permits.
- Continue to respond to questions relevant to the code for permitting purposes.

- Cinnamon and I help with the coordination of the weekly Farmer's Market.
- In receipt of Florida DOT's Local Highway Finance Report for Fiscal Year 2010-11, which I forwarded to Tom Reilly. Historically, the City's auditor has provided the information and the City Clerk submits online (via password). I will be meeting with Auditor Tom Reilly on February 22, 2012, and this form will be part of our discussion and work on the FY 10/11 audit.
- The City has received their FMIT audit and renewal notice. I would like to say that the audit and renewal was in our favor but it wasn't. As a result of the worker's comp audit and renewal, the City was provided with a \$16,000+ additional assessment to the current FMIT bill. You should know that former staff never added Code Enforcement to the Worker's Comp audit. This should have been done when Debbie Wallace was made the Code Enforcement Officer. I was not aware that this had not been done so when I provided the applicable staff codes, I included Code Enforcement. The other matter that affected the bill (according to my conversation with FLC rep), was the addition of police officers, including reserves. Without the benefit of past reports provided by former staff, it appears that the City added 3 new officers, and the addition of reserves. The addition of the officers was a \$200,000 difference in the Worker's Comp audit amount, and the renewal amount (salaries). It was the increase in police personnel that increased our Worker's Comp costs. Please note that the accounting portion of the audit and renewal was provided by our Accounting Coordinator, Patty Conn. The amounts Patty provided was based on 10/11 payroll which is lower than the FY 11/12 budget for Police Officers and Clerical staff.
- On March 10, 2012, I met with Alan Plante, OC Building Official and Rod Lynn, OC Chief Engineer, to discuss the changes in the Florida Building Code. Of interest, is that floodplain management is now coming under the auspice of the Building Official, as opposed to engineering. Alan Plante assured me his department will continue to work in tandem with their engineering department in this regard. Due to this change, the County is setting up software to be able to assume floodplain management. As you know, we have an Interlocal Agreement with Orange County to issue our building permits. Now that floodplain has been moved to the building official, Orange County has a proposed Ordinance for their Board's consideration and approval to align with the Florida Building Code. Because our Interlocal Agreement includes items under the Florida Building Code, we should not have to modify the Agreement. I did tell Alan and Rod that I wanted our City Attorney to review the proposed Ordinance. Of concern, I wanted to make sure that if our floodplain management requirements exceed Orange County's requirement, they will adhere to the City's floodplain management requirements. After reviewing the proposed Ordinance, City Attorney Smith said he has no objections. The County asks that Council forward a letter advising that they have no objections to the Ordinance. Obviously, this is a matter that the City's Engineer needs to be kept in-the-loop. It should be noted that the changes in the Florida Building Code become effective March 15, 2012.
- On February 1, 2012, the SBA Roads & Streets and Stormwater funds were transferred to First Southern Bank, as directed by Council President Beardslee and Mayor Bagshaw.

- On February 1, 2012, I closed out grant for Police vests (2012-JAGC-ORAN-2-C4-071)
- Worked with representatives from Liberty National Life Insurance Company for open enrollment. The agreement with Liberty National provides for two open enrollments. I requested that this be changed to align with the City's "one" open enrollment in Aug/Sept. and they are honoring my request. They have provided us with the Section 125 Binder, which is required to be on file to avoid a penalty should the City be audited.
- I have received notification from Department of Revenue regarding the Master Address List (MAL) related to Communication Services Tax (CST). Municipalities are allowed to review the database two times per year, and compare the database to our city limits to ensure that DOR has valid addresses. This is a timely process and in my initial review of the list, it is apparent that this list has not been reviewed in a while, as many streets are absent from the list (i.e. Legacy Subdivision). I have until March 3, 2012 to provide changes to DOR. The accuracy of this list is important, as this is a revenue source to the City. I will follow-up in my next status memo the outcome of this project.

As you can see, we are busy in City Hall. Cinnamon continues her work on the Business Tax Receipts, records management and zoning clearance for permitting. She is also working on the Newsletter, assist the Mayor with the Farmer's Market, and any other matters that occur daily. Patty processes payroll, is handling all Accounts Payable and Receivables and prepares the documents sent to McDermitt~Davis so Marge can prepare the Financial Statement. Scott Zane has established remote access for Marge so that Patty doesn't have to send out a thumb drive. Marge advises when she is in Peachtree so staff knows that they do not have access. Patty has been doing cross training with staff so that there is back-up in her absence. Patty is scheduled for vacation February 22 thru March 2, 2012 (back in City Hall 3/5/2012). She is working ahead to ensure everything is done before she leaves.

Please let me know if you have any questions or concerns.